

Index

Criminal Code, CC; Constitution Act, CA; Controlled Drugs and Substances Act, CDA; Canada Evidence Act, CEA; DNA Identification Act, DNA; Firearms Act, FA; Youth Criminal Justice Act, YCJA

ABANDONMENT

- “Abandon,” **10:1** [CC 214]
- Animal in captivity, **14:70** [CC 446(1)(b)]
- Child under 10, **10:13** [CC 218]

ABDUCTION

- See also CONFINEMENT; KIDNAPPING; TRAFFICKING, PERSONS
- Consent of Attorney General, **10:335** [CC 283(2)]
- Custody order, contravention of, **10:331** [CC 282]
- Custody order, where none, **10:334** [CC 283(1)]
- Defences
 - consent of person abducted, **10:339** [CC 286]
 - consent of person having lawful possession, **10:336** [CC 284]
 - escape from harm, **10:337** [CC 285]
 - protection of young person, **10:337** [CC 285]
- Definition of “guardian,” **10:328** [CC 280(2)]
- Internationally protected persons outside Canada, **2:16** [CC 7(3)]
- Person under 14, **10:329 to 10:333** [CC 281 to 283]
- Person under 16, **10:328** [CC 280(1)]

ABDUCTION—Cont’d

- Recognizance to prevent offence, **38:70** [CC 810.1]
- Removal of child from Canada with intent, **10:275** [CC 273.3]

ABORIGINAL RIGHTS

- Appearance, compelling, **21:2** [CC 493.1]
- Rights and freedoms not affected, **41:94** [CA 25]

ABSCONDING

- See also PRESENCE OF ACCUSED; WITNESS
- Accused
 - deemed present at trial, **31:45** [CC 715(3)]
 - deemed waiver of jury election, **27:67** [CC 598]
 - preliminary inquiry, **23:70** [CC 544]
 - trial, **19:11, 27:67** [CC 475, 598]
- Witness
 - arrest with warrant, **31:18** [CC 704]
 - detention or release, **31:20** [CC 706]
 - endorsement in another jurisdiction, **21:118** [CC 528]

ABSOLUTE JURISDICTION

- See also JURISDICTION
- Generally, **25:2** [CC 553]

ABSTRACT OF TITLE

Fraudulent concealment, **13:37**
[CC 385(1)]

ABUSE OF PROCESS

Generally, **2:19, 6:48, 41:22**
[CC 8, 131, CA 7]

ACCELERATION OF DEATH

Generally, **10:42** [CC 226]

ACCESSORY AFTER FACT

See also PARTY TO OFFENCE

Defined, **2:80** [CC 23(1)]

Evidence of conviction or discharge of another person,
27:241 [CC 657.2(2)]

Indictment of other parties, **2:84,**
27:60 [CC 23.1, 592]

Murder, **10:98** [CC 240]

Punishment (general), **18:1** [CC
463]

accessory to murder, **10:98**
[CC 240]

Treason or high treason
delivery of trial documents,
27:87 [CC 604]

ACCIDENT

Failure to stop at scene, **11:16**
[CC 320.16]

ACCOMMODATION

Fraudulently obtaining, **12:181**
[CC 364]

ACCOUNT

Account entry negating theft,
12:50 [CC 330(2)]

Falsifying, **13:55, 13:58, 13:60**
[CC 397, 399, 400]

Theft by failure to account,
12:49 [CC 330(1)]

ACCUSED

See PRESENCE OF ACCUSED

ACT

See STATUTES

ADJOURNMENT (REMANDS)

See also ASSESSMENTS
(MENTAL DISORDER)

Effect on recognizance, **36:2**
[CC 763]

Judicial interim release hearing,
21:86 [CC 516]

Jury trial

disagreement upon verdict,
27:228 [CC 653]

Preliminary inquiry

irregularities misleading
accused, **23:76** [CC 547]

witness refusing to testify,
23:72 [CC 545]

Procedural irregularities, **20:4,**
29:58 [CC 485,
686(1)(b)(iv)]

Summary conviction

appeal, **38:114** [CC 824]

trial, **38:47** [CC 803]

Trial by judge, **25:54** [CC 571]

Trial by provincial court judge,
27:271 [CC 669.1]

Trial on indictment

general, **27:170** [CC 645]

to plead, etc., **27:93** [CC
606(3)]

to secure documents, **27:85**
[CC 603]

where accused misled, **27:82**
[CC 601(5)]

When no jury summoned, **19:10**
[CC 474]

ADMISSIONS

Dispensing with proof
dangerous offenders, **35:24**
[CC 754(3)]

trial by indictment, **27:235**
[CC 655]

ADMISSIONS—Cont’d

- Preliminary inquiry
 - admission as evidence at inquiry, **23:41, 23:42** [CC 541(1), (2)]
 - evidence of accused, as admission at trial, **27:238** [CC 657]
 - non-publication (offence), **23:46** [CC 542(2)]
- Previous admission, **23:45** [CC 542(1)]
- Publication, **23:46** [CC 542(2)]
- Young person, **42:13, 42:172** [YCJA 10(4), 149]

ADULT

- Generally, **42:3** [YCJA 2(1)]

ADULTERY

- Corrupting child, **7:81** [CC 172]

ADVERSE WITNESS

- Generally, **40:35** [CEA 9(1)]
- Prior inconsistent statement, **40:36** [CEA 9(2)]

ADVERTISING

- Counterfeit money or tokens, **15:27** [CC 460(1)(a)]
- Cure for venereal disease, **7:42** [CC 163]
- Drug to cause miscarriage, **7:42** [CC 163]
- False prospectus, **13:60** [CC 400]
- Invitation to bet on contest, **9:20** [CC 202]
- Lottery scheme, **9:32, 9:39** [CC 206(1)(a), 206(7)]
- Using likeness of bank note, **15:20** [CC 457]

AFFIDAVIT

- See also CERTIFICATE; CERTIFIED COPY; SERVICE

AFFIDAVIT—Cont’d

General

- affirmation in lieu of oath, **40:58** [CEA 15]
- foreign affidavit, **40:161 to 40:163** [CEA 52 to 54]

Offences

- administering oath without authority, **6:64** [CC 138(a)]
- false statements, **6:48, 6:56** [CC 131, 134]
- perjury, **6:48** [CC 131]
- signing pretended affidavit, **6:64** [CC 138(a), (c)]
- statement, **6:53, 6:56** [CC 133, 134]
- using pretended affidavit, **6:64** [CC 138(b)]

Particular affidavits

- banking record, proof of entry re, **40:140** [CEA 39(3), (4)]
- business record, proof re, **27:238, 40:90** [CC 657, CEA 30(3), (4), (8)]
- government record, proof of entry re, **40:80** [CEA 26]
- insurance, proof of loss and, **40:148** [CEA 42]
- ownership and value of property, **27:239** [CC 657.1(1), (2), (3)]
- photographic evidence, **20:195** [CC 491.2(4)]
- photographic print, proof of compliance re, **40:93** [CEA 31(3), (4)]
- proof of service of any document, **2:8, 2:9** [CC 4(6) to (7)]
- subpoena, proof of service of, **31:12** [CC 701]
- “witness,” **6:1** [CC 118]

AFFIRMATION

See also AFFIDAVIT; OATH
Administered abroad, **40:161 to 40:163** [CEA 52 to 54]
Affidavit or deposition, **40:58** [CEA 15]
In lieu of oath, **40:54** [CEA 14]
Liability for perjury, **40:58** [CEA 15(2)]

AGE

See also ASSAULT; CONSENT; EQUALITY; SEXUAL ASSAULT
Adult sentence eligibility, **42:81** [YCJA 64]
“Child,” **42:3** [YCJA 2(1)]
Criminal responsibility, **2:34** [CC 13]
 mistake re, **7:3** [CC 150.1(4) to (6)]
Young offenders
 jurisdiction re age, **42:17** [YCJA 14]
 “young person,” **42:3** [YCJA 2(1)]

AGENT

See also POWER OF ATTORNEY
“Agent,” **13:115** [CC 426(4)]
Appearance for accused, **25:15, 27:115, 38:28, 38:46** [CC 556, 620, 800, 802.1]
 limitation on use, **38:46** [CC 802.1]
 organizational accused, **25:15, 27:115, 38:28** [CC 556, 620, 800(3)]
Liability for fraud regarding public stores, **13:94** [CC 418(2)]
Limitation on use, **38:46** [CC 802.1]

AGENT—Cont’d

Pledge of goods not theft, **12:36** [CC 325]
Secret commission, **13:115** [CC 426]

AGGRAVATED ASSAULT

See ASSAULT

AGGRAVATED SEXUAL ASSAULT

See SEXUAL ASSAULT

AGGRAVATING CIRCUMSTANCES

Generally, **34:19** [CC 718.2(a)]
Driving offences, **11:23** [CC 320.22]
Elder abuse, **34:19** [CC 718.2(a)(iii.1)]
Fraud offences, **13:25** [CC 380.1]
Home invasion offences, **12:113** [CC 348.1]
Personation, **6:47** [CC 130.1]

AGREEMENT OR ARRANGEMENT—SEXUAL OFFENCE AGAINST CHILD

Defences, limitation on age of intended victim, **7:89** [CC 172.2(4)]
 non-existence of victim, re, **7:89** [CC 172.2(5)(b)]
 police sting operation, re, **7:89** [CC 172.2(5)]
Designated offence for dangerous offender purposes, **35:1** [CC 752]
Designated offence for SOIRA purposes, **20:136** [CC 490.011(1)]
Forfeiture of things used, **7:65** [CC 164.2]
 relief from, **7:66** [CC 164.3]

AGREEMENT OR

**ARRANGEMENT—SEXUAL
OFFENCE AGAINST
CHILD—Cont'd**

- Offence, **7:89** [CC 172.2(1) to (2)]
- Offence outside Canada, **2:16** [CC 7(4.1)]
- Presumption re age, **7:89** [CC 172.2(3)]
- Primary designated offence for DNA purposes, **20:77** [CC 487.04]
- Prohibition order, **7:33** [CC 161]
- Recognizance to prevent offence, **38:70** [CC 810.1]

AIDING AND ABETTING

- See also ACCESSORY AFTER FACT; COUNSELLING; PARTY TO OFFENCE
- Essential elements
 - abetting, **2:64** [CC 21(1)(c)]
 - aiding, **2:64** [CC 21(1)(b)]
- Indictment of other parties, **2:84** [CC 23.1]
- Particular offences
 - betting offences, **9:20** [CC 202(1)(j)]
 - cruelty to animals, **14:70** [CC 446]
 - desertion, **3:11, 3:13** [CC 54, 56]
 - enemy alien, **3:6** [CC 50]
 - escape, **6:95 to 6:100** [CC 146 to 148]
 - prize fight, **3:67** [CC 83(1)]
 - suicide, **10:101** [CC 241]
 - treason, **3:1, 3:6** [CC 46, 50]

AIRCRAFT

- See also HIJACKING; DRIVING OFFENCES
- Conveyance, as, see DRIVING OFFENCES

AIRCRAFT—Cont'd

- Deemed in service, **2:16** [CC 7(9)]
- Defined, **10:1** [CC 214]
- “Flight,” **2:16** [CC 7(8)]
- Jurisdiction over accused, **2:16** [CC 7(5)]
- Jurisdiction over offence, **2:17, 19:14, 19:16** [CC 7(1), 476, (2)]
- Offence against internationally protected person, **2:16** [CC 7(3)]
- Offence outside Canada
 - accessory after the fact, **2:16** [CC 7(2)(e)]
 - attempt, **2:16** [CC 7(2)(e)]
 - consent to prosecution, **2:16** [CC 7(7)]
 - conspiracy, **2:16** [CC 7(2)(e)]
 - counselling, **2:16** [CC 7(2)(e)]
 - deemed committed in Canada, **2:17, 2:16** [CC 7(1), (2)]
 - deemed in service, **2:16** [CC 7(9)]
 - prosecution outside Canada, **2:16** [CC 7(6)]
- Particular offences
 - act of violence, **3:47** [CC 77(a), (b)]
 - aircraft deemed in service, **2:16** [CC 7(9)]
 - breaking and entering, **12:100** [CC 348]
 - causes damage, **3:47** [CC 77]
 - consent to prosecution, **2:16** [CC 7(7)]
 - DNA order on conviction or discharge, **20:77, 20:81** [CC 487.04, 487.051]
 - DNA orders, **20:77, 21:99** [CC 487.04, 522(1)]
 - endangering safety, **3:47** [CC 77]

AIRCRAFT—Cont'd

- Particular offences—Cont'd
 - false communication, **3:47** [CC 77(g)]
 - fraud in obtaining transportation, **13:49** [CC 393(3)]
 - hijacking, **3:46** [CC 76]
 - hostage taking, **2:16** [CC 7(3.1)]
 - interim release, **21:100** [CC 522(1)]
 - murder, first degree, **10:67** [CC 231(5)]
 - offence outside Canada, **2:16** [CC 7]
 - overt acts, evidence of, **3:12** [CC 55]
 - rendering incapable of flight, **3:47** [CC 77(c)]
 - sabotage, **3:9** [CC 52]
 - statements in indictments, **27:25** [CC 581(4)]
 - weapon or explosive on board, **3:48** [CC 78]
- Pilot as peace officer, **1:3** [CC 2]
- Space station, **2:16** [CC 7(2.34)]
 - consent of Attorney General of Canada, **2:16** [CC 7(2.33)]
 - definitions, **2:16** [CC 7(2.34)]
 - offence committed by Canadian crew member, **2:16** [CC 7(2.3)]
 - offence committed by crew member of Partner state, **2:16** [CC 7(2.31)]
 - proceedings by Attorney General of Canada, **2:16** [CC 7(2.32)]
- Use of force aboard
 - justified, **2:104** [CC 27.1]

AIRPORT

- See also INTERNATIONAL AIRPORT

AIRPORT—Cont'd

- Endangering safety, **3:47** [CC 77]
 - DNA order on conviction or discharge, **20:77, 20:81** [CC 487.04, 487.051]
- Particular offences
 - act of violence, **3:47** [CC 77(b)]
 - causes serious damage, **3:47** [CC 77(f)]

ALARMING THE QUEEN

- Act with intent to alarm
 - evidence of overt acts, **3:12** [CC 55]
 - statements in indictments, **27:25, 27:77** [CC 581(4), 601(9)]

ALBERTA

- Generally, **1:3, 7:61, 8:42, 10:411, 21:1, 22:15, 25:1, 27:151, 34:184, 38:84, 38:91** [CC 2, 164(8), 188(4), 320(8), 493, 534, 552, 638(3), 745.6(3), 812, 814(1)]

ALCOHOL

- See DRIVING OFFENCES
- Conditions of probation
 - abstention, **34:85** [CC 732.1(3)(c)]

ALIEN

- Assisting enemy alien, **3:7** [CC 50(1)]
 - evidence of overt acts, **3:12** [CC 55]
 - statements in indictments, **27:25, 27:77** [CC 581(4), 601(9)]
- Consent to prosecution, **2:16, 19:19** [CC 7(7), 477(2)]

INDEX

ALIEN—Cont'd

Juror

challenge for cause, **27:148**
[CC 638(1)(d)]

ALTERNATIVE MEASURES

See PUNISHMENT; YOUTH
CRIMINAL JUSTICE

AMENDMENT

See INDICTMENT (FORM
AND SUBSTANCE)

AMMUNITION

Defined, **5:2** [CC 84(1)]

Prohibited

defined, **5:2** [CC 84(1)]

Unauthorized possession of,
47:106 [FA 108]

ANIMALS

Abandonment, **14:70** [CC
446(1)(b)]

defence, **14:4** [CC 429(2)]

Captivity, **14:69** [CC 445.2]

“Cattle,” **1:3** [CC 2]

Cock-pit, building or keeping,
14:77 [CC 447]

Cruelty, **14:68** [CC 445.1]

defence, **14:4** [CC 429(2)]

Dolphins, **14:69** [CC 445.2]

Injuring or endangering, **14:63**,
14:67 [CC 445, 445.01]

defence, **14:4** [CC 429(2)]

Killing, **14:67** [CC 445.01]

Law enforcement, **14:67** [CC
445.01]

Military, **14:67** [CC 445.01]

Ownership custody or cohabita-
tion while prohibited, **14:78**
[CC 447.1(2)]

defence, **14:4** [CC 429(2)]

Poisoning, **14:63**, **14:68** [CC
445, **445.1(1)(c)**]

defence, **14:4** [CC 429(2)]

ANIMALS—Cont'd

Prohibition order, **14:78** [CC
447.1]

Property in wild animal, **12:8**
[CC 322(5)]

Restitution order, **14:78** [CC
447.1]

Sentencing objectives, **34:13**
[CC 718.03]

Service, **14:67** [CC 445.01]

Whales, **14:69** [CC 445.2]

ANTIQUE FIREARM

See FIREARMS

APPEALS (INDICTABLE OFFENCES)

By accused (to court of appeal)

from conviction, **29:8** [CC
675(1)(a)]

from dangerous offender find-
ing, **35:32** [CC 759(1)]

from discharge, **34:71** [CC
730(3)(a)]

from extraordinary remedies,
37:28, **37:29** [CC 784(1),
(2)]

from finding of not criminally
responsible, **29:11** [CC
675(3)]

from finding of unfitness,
29:11 [CC 675(3)]

from parole delay order, **29:8**
[CC 675(2.1)]

from parole ineligibility order,
29:10, **29:8** [CC 675(2),
(2.1), (2.3)]

from proceeds of crime forfei-
ture order, **17:32** [CC
462.44]

from sentence, **29:8** [CC
675(1)(b)]

from summary conviction,
29:8 [CC 675(1.1)]

**APPEALS (INDICTABLE
OFFENCES)—Cont'd**

- By accused (to court of appeal)
—Cont'd
 - person under 18, **29:8** [CC **675(2.1)**]
- By accused (to Supreme Court of Canada), **29:105, 29:116** [CC **691, 692**]
- election if new trial, **29:124** [CC **695(2)**]
- where acquittal set aside and judge dissents, **29:105** [CC **691(2)(a)**]
- where acquittal set aside and verdict of guilty entered, **29:105** [CC **691(2)(b)**]
- where co-accused acquitted, **29:105** [CC **691(2)(b)**]
- where conviction upheld, **29:106** [CC **691(1)**]
- where found not criminally responsible, **29:116** [CC **692(1)**]
- where found unfit, **29:116** [CC **692(2)**]
- where leave of court, **29:105** [CC **691(2)(c)**]
- By Attorney General (to court of appeal)
 - from acquittal, **29:14, 29:16** [CC **676(1)(a), 676(2)**]
 - from decision not to make parole ineligibility order, **29:19, 29:20** [CC **676(5), (6)**]
 - from discharge, **34:71** [CC **730(3)(b)**]
 - from dismissal of dangerous offender application, **35:33** [CC **759(2)**]
 - from extraordinary remedies, **37:28** [CC **784(1)**]
 - from finding of unfitness, **29:17** [CC **676(3)**]

**APPEALS (INDICTABLE
OFFENCES)—Cont'd**

- By Attorney General (to court of appeal)—Cont'd
 - from order quashing or refusing jurisdiction, **29:14** [CC **676(1)(b)**]
 - from order staying proceedings, **29:14** [CC **676(1)(c)**]
 - from parole delay order, **29:8** [CC **675(2.1)**]
 - from parole ineligibility order, **29:18, 29:19, 29:20** [CC **676(4), (5), (6)**]
 - from proceeds of crime forfeiture order, **17:32** [CC **462.44**]
 - from sentence, **29:14** [CC **676(1)(d)**]
 - from summary conviction cases, **29:14** [CC **676(1.1)**]
 - from verdict of not criminally responsible on account of mental disorder, **29:14** [CC **676(1)(a)**]
- By Attorney General (to Supreme Court of Canada), **29:117** [CC **693**]
- as of right, **29:117** [CC **693(1)(a)**]
- by Attorney General of Canada, **29:126** [CC **696**]
- where leave given, **29:117, 29:119** [CC **693(1)(b), 693(2)**]
- Costs, **29:23** [CC **676.1**]
- “Court of appeal,” **29:1** [CC **673**]
- Dissent, specifying grounds of, **29:25** [CC **677**]
- “Indictment,” **29:1** [CC **673**]

APPEALS (INDICTABLE OFFENCES)—Cont'd

- Notice of appeal
 - extension of time, **29:26** [CC **678(2)**]
 - to court of appeal, **29:27** [CC **678(1)**]
 - to Supreme Court of Canada, **29:120** [CC **694**]
- Powers of court of appeal
 - ancillary authority, **29:42**, **29:53** [CC **683**, **684**]
 - authority to determine appeals, **29:56 to 29:87** [CC **685 to 687**]
- Powers of Supreme Court of Canada
 - appeal deemed abandoned, **29:124** [CC **695(2)**]
 - assignment of counsel, **29:121** [CC **694.1**]
 - authority to determine appeals, **29:125** [CC **695(1)**]
 - grant leave on terms, **29:119** [CC **693(2)**]
- Release pending appeal
 - arrest after release, **29:29** [CC **679(6)**]
 - conditions of order, **29:29** [CC **679(5)**, **(5.1)**]
 - conditions precedent to release, **29:30**, **29:32**, **29:33** [CC **679(1)**, **(3)**, **(4)**]
 - form of release, **29:29** [CC **679(5)**]
 - notice to prosecutor, **29:31** [CC **679(2)**]
 - order expediting appeal, **29:29** [CC **679(10)**]
 - pending appeal to court of appeal, **29:29**, **29:32**, **29:33** [CC **679(1)(a)**, **(b)**, **679(3)**, **679(4)**]

APPEALS (INDICTABLE OFFENCES)—Cont'd

- Release pending appeal—Cont'd
 - pending appeal to Supreme Court of Canada, **29:29**, **29:32** [CC **679(1)(c)**, **679(3)**, **679(8)**]
 - pending new trial or hearing, **29:29**, **29:32** [CC **679(1)(a)**, **679(3)**, **679(7)**]
 - review by court of appeal, **29:34** [CC **680**]
- Remote appearance of accused, **29:42**, **29:100**, **32:3**, **32:4** [CC **683(2.1)**, **688(2.1)**, **715.23 to 715.24**]
- Report by judge, **29:39** [CC **682**]
- Right of appellant to attend court of appeal, **29:100** [CC **688**]
- Supreme Court of Canada, **29:123** [CC **694.2**]
- “Sentence,” **29:1** [CC **673**]
- Stay of conviction or discharge, **10:216** [CC **261**]
- Transcript of material, **29:41**, **29:39** [CC **682(2)**, **(4)**, **(5)**]
- “Trial court,” **29:1** [CC **673**]

APPEALS (PARTICULAR MATTERS)

- See also DISPOSITIONS AND DISPOSITION HEARINGS (MENTAL DISORDER)
- Canada Evidence Act, pursuant to
 - from order re disclosure of information subject to Crown privilege, **40:115**, **40:116** [CEA **37.1 to 37.2**]
 - from order re disclosure of potentially injurious

APPEALS (PARTICULAR MATTERS)—Cont'd

- Canada Evidence Act, pursuant to—Cont'd
 - information, **40:130, 40:131 to 40:133 [CEA 38.09, 38.1 to 38.12]**
 - from order re disclosure of sensitive information, **40:130, 40:131 to 40:133 [CEA 38.09, 38.1 to 38.12]**
- Contempt, **2:26 [CC 10]**
- Dangerous offender, **35:31 [CC 759]**
- Extraordinary remedy, **37:27 [CC 784]**
- Forfeiture
 - child pornography, **7:61 [CC 164(6)]**
 - crime comic, **7:61 [CC 164(6)]**
 - hate propaganda, **10:411, 10:412 [CC 320(6), 320.1(8)]**
 - minerals or precious metals, **13:53 [CC 395(3)]**
 - obscene matter, **7:61 [CC 164(6)]**
 - things seized pursuant to search warrant, **20:129 [CC 490(17)]**
 - things used in child luring or child pornography, **7:65, 29:103 [CC 164.2(3) to (5), 689]**
- Sex offender information registration
 - compliance orders, **20:140 [CC 490.014]**
 - exemption orders, **20:152 [CC 490.024]**
 - termination orders, **20:143, 20:157 [CC 490.017, 490.029]**

APPEALS (PARTICULAR MATTERS)—Cont'd

- Stay of proceedings, from permanently unfit accused, against, **28:92 [CC 672.852]**
- Taking of bodily substances for forensic DNA analysis, on conviction, discharge or NCRMD finding, order for, **20:90 [CC 487.054]**
- Third party records, orders re, **10:303 [CC 278.91]**
- Young offenders, **42:45 [YCJA 37]**

APPEALS (SUMMARY CONVICTION)

- Appeals to summary conviction appeal court, **38:84 to 38:121 [CC 812 to 828]**
- adjournment, **38:114 [CC 824]**
- “appeal court,” **38:84 [CC 812]**
- costs, **38:118, 38:120 [CC 826, 827]**
- dismissal for failure to appear or want or prosecution, **38:116 [CC 825]**
- extension of time to appeal, **38:92 [CC 815(2)]**
- fixing date of hearing, **38:99 [CC 819]**
- notice of appeal, **38:93 [CC 815(1)]**
- order of new trial, **38:105 [CC 822(2)]**
- payment of fine not waiver, **38:101 [CC 820(1)]**
- place of hearing, **38:91 [CC 814]**
- powers of appeal court, **38:103 [CC 822(1)]**

APPEALS (SUMMARY

CONVICTION)—Cont’d

Appeals to summary conviction
appeal court, **38:84 to**

38:121 [CC 812 to 828]

—Cont’d

release pending appeal, **38:94**
[CC 816]

release pending new trial,
38:103 [CC 822(3)]

rights of appeal, **38:85 [CC**
813]

transmission of trial record,
38:102 [CC 821(1), (3)]

trial de novo, **38:103 [CC**
822(4) to (7)]

undertaking by prosecutor/
appellant, **38:96, 38:98**
[CC 817, 818]

“Clerk of the appeal court,” **38:1**
[CC 785]

“Informant,” **38:1 [CC 785]**

“Information,” **38:1 [CC 785]**

“Order,” **38:1 [CC 785]**

“Proceedings,” **38:1 [CC 785]**

“Prosecutor,” **38:1 [CC 785]**

“Sentence,” **38:1 [CC 785]**

Summary appeal on transcript or
agreed statement of fact,
38:123 to 38:134 [CC 829
to 838]

appeal barred, **38:133 [CC**
837]

“appeal court,” **38:123 [CC**
829]

costs, **38:130 [CC 834(1)]**

dismissal for failure to appear
or want of prosecution,
38:116, 38:127 [CC 825,
831]

enforcement of order, **38:131**
[CC 835]

extension of time to appeal,
38:134 [CC 838]

APPEALS (SUMMARY

CONVICTION)—Cont’d

Summary appeal on transcript or
agreed statement of fact,
38:123 to 38:134 [CC 829
to 838]—Cont’d

fixing date of hearing, **38:99,**
38:127 [CC 819, 831]

grounds of appeal, **38:125**
[CC 830(1)]

powers of appeal court,
38:130 [CC 834]

release pending appeal, **38:94,**
38:127, 38:128 [CC 816,
831, 832(1)]

rights of appeal, **38:125,**
38:124 [CC 830(1), (4)]

time for appeal, **38:124 [CC**
830(3)]

transcript or agreed statement,
38:126 [CC 830(2)]

undertaking by prosecutor/
appellant, **38:96, 38:98,**
38:127, 38:128 [CC 817,
818, 831, 832]

“Summary conviction court,”
38:1 [CC 785]

“Trial,” **38:1 [CC 785]**

APPEARANCE

See AGENT, COUNSEL, PRES-
ENCE OF ACCUSED

APPEARANCE NOTICE

See also JUDICIAL INTERIM
RELEASE

“Appearance notice,” **39:35**
[CC Form 9]

Cancellation or confirmation by
justice, **21:54 [CC 508]**

Contents, **21:23 [CC 500]**

Duration, **34:73 [CC 730(2)]**

Effect after direct indictment,
21:104 [CC 523(1.2)]

APPEARANCE NOTICE

—Cont'd

Effect after remand to other jurisdiction, **23:67** [CC 543(2)(b)]

Entering into on holiday, **2:62** [CC 20]

Failure to appear, **6:82, 21:71, 38:50, 38:47** [CC 145, 512.2, 803(3), (4)]

Form, **39:35** [CC Form 9]

Issue by peace officer
no arrest, **21:19** [CC 497]

Laying of information, **21:40** [CC 505]

Time in force, **21:104, 34:71** [CC 523, 730]

Vacating previous order, **21:106** [CC 523(2)]

APPOINTMENT

Influencing appointment, **6:26** [CC 125]

Proof of appointment, **40:73, 40:74** [CEA 21, 22]

Selling or purchasing, **6:25** [CC 124]

disability on conviction,
34:200 [CC 750(3), (4)]

ARBITRARY DETENTION OR IMPRISONMENT

Generally, **41:52** [CA 9]

ARMED FORCES

Definitions

“Canadian Forces,” **1:3** [CC 2]

“Her Majesty’s Forces,” **1:3** [CC 2]

“member of a force,” **3:24** [CC 62(2)]

“military,” **1:3** [CC 2]

Enlistment

presumption, **13:97** [CC 421(1)]

ARMED FORCES—Cont'd

Jury trial

right to, **41:63** [CA 11(f)]

Member as peace officer, **1:3** [CC 2]

Military law

effect of Charter, **41:63** [CA 11(f)]

effect of Code, **2:12** [CC 5]

Military tribunal

effect of Charter, **41:63** [CA 11(f)]

Offences

assisting deserter, **3:11** [CC 54]

assisting hostile forces, **3:1, 3:3** [CC 46(1)(c), 47(1), (4)]

counselling insubordination,
3:24 [CC 62(1)(b), (c)]

inciting to mutiny, **3:10** [CC 53]

interfering with loyalty, **3:24** [CC 62(1)(a)]

overt acts, evidence of, **3:12** [CC 55]

presumption of enlistment,
13:97 [CC 421(1)]

receiving military stores,
13:96 [CC 420]

sabotage, **3:9** [CC 52]

statement in indictment,
27:21, 27:77 [CC 581(4), 601]

unlawful use of uniform, etc.,
13:95 [CC 419]

Riot

command to suppress, **2:113** [CC 32(2)]

Weapons, **5:91** [CC 117.08]

ARRAIGNMENT

Indictable offences, **25:28, 27:90** [CC 562, 606]

ARRAIGNMENT—Cont’d

- Pleas permitted, **27:90, 27:98**
[CC 606, 607]
- Summary conviction offences,
38:32, 38:33 [CC 801(1),
(2)]

ARREST

- See also EXECUTION OF PROCESS
- By surety, **36:6** [CC 766(2)]
- Citizen’s arrest, **21:5** [CC 494]
- Clergyman, upon civil process,
7:109 [CC 176(1)(b)(ii)]
- Duty of person arresting
 - delivery to peace officer,
2:109, 2:111, 21:5 [CC
30, 31(2), 494(3)]
 - duty not to arrest, **21:10,**
21:11 [CC 495(2), (3)]
 - duty to inform arrested person,
2:108, 2:106, 41:57 [CC
29(2), (b), (3), CA 10(a)]
- Dwelling-house, powers to enter,
to carry out arrests
 - announcement, omission of,
21:125 [CC 529.4(1)]
 - authority to enter without war-
rant, **21:123** [CC
529.3(1)]
 - execution of entry, **21:119,**
21:125 [CC 529(1),
529.4(2)]
 - exigent circumstances, **21:123**
[CC 529.3(2)]
 - reasonable terms and condi-
tions, **21:122** [CC 529.2]
 - telewarrant, **21:126** [CC
529.5]
 - warrants, **21:12, 39:32, 39:33**
[CC 529.1, Forms 7, 7.1]
- Force in arrest
 - excessive force, **2:100** [CC
26]

ARREST—Cont’d

- Force in arrest—Cont’d
 - permissible force, **2:89, 2:102,**
2:113 [CC 25(1), 27, 32,
(4)]
- Offences
 - assault with intent to resist,
10:255 [CC 270(2)]
 - failure to assist in, **6:34** [CC
129(b)]
- Preventive, see TERRORISM
- Private prosecution, in, **21:52**
[CC 507.1]
- Protection of persons acting
under authority, **2:91,**
2:105, 2:113 [CC 25(3), 28,
32(3), (4)]
- Rights upon arrest, **41:57** [CA
10]
- Specific arrest authority
(offences)
 - breach of peace, **2:112** [CC
31(1)]
 - by surety, **36:6** [CC 766(2)]
 - common gaming house, **9:11**
[CC 199(2)]
- Warrant
 - actions not precluding issue,
21:67 [CC 512]
 - arrest of wrong person, **2:105**
[CC 28]
 - circumstances of issue
 - absconding accused or wit-
ness, **4:39, 19:11** [CC
83.29(1)(b), 475(1)(b)]
 - commission of offence,
29:29 [CC 679(6)]
 - defaulting witness, **31:18 to**
31:20 [CC 704 to 706]
 - evasion of service of order
or summons, **4:39** [CC
83.29(1)(a)]
 - failure to attend after
adjournment, **20:4,**

ARREST—Cont'd

Warrant—Cont'd

circumstances of issue

—Cont'd

38:49 [CC 485,
803(2)]

failure to attend review of
order of justice, **21:94**,
21:97 [CC 520(5),
521(5)]

failure to attend trial, **27:66**,
38:49 [CC 597,
803(2)]

information laid, **21:49**,
21:52, **21:67** [CC
507(4), 507.1(2),
512(1)]

necessary in public interest,
21:49, **21:67** [CC
507(4), 512(1)]

non-compliance with
appearance notice, etc.,
21:67, **29:29**, **38:49**
[CC 512(2), 679(6),
803(2)]

non-compliance with evi-
dence-gathering order,
4:39 [CC 83.29(1)(c)]

private prosecution, **21:52**
[CC 507.1]

terrorism investigation,
4:39 [CC 83.29(1)(c)]

contents, **21:66**, **21:73** [CC
511(1), 513]

defect not affecting validity,
23:74, **23:76** [CC 546,
547]

discretion to postpone execu-
tion, **21:65** [CC 511(3)]

duty of person arresting, **2:106**
[CC 29]

endorsement in other jurisdic-
tion, **21:118** [CC 528(1)]

endorsement to authorize
release, **21:51**, **21:52**

ARREST—Cont'd

Warrant—Cont'd

[CC 507(6), 507.1(8)]

execution, **21:65**, **21:74**,
21:94, **21:118** [CC
511(4), 514, 520(6),
528(2)]

form, **21:73** [CC 513]

investigative hearing, in con-
nection with, **4:39** [CC
83.29]

release when arrested with
warrant, **21:22** [CC 499]

signing in blank, **21:50**, **21:52**
[CC 507(5), 507.1(8)]

Without warrant

accused on interim release,
29:29, **29:34** [CC 679(6),
680]

by any person, **21:6** [CC
494(1)]

by owner of property, **21:7**
[CC 494(2)]

by peace officer, **21:8**, **21:16**
[CC 495, 495.1]

contravention of order, for,
21:16 [CC 495.1]

delivery to peace officer, **21:5**
[CC 494(3)]

detention in custody, **21:21**
[CC 498]

person about to commit
offence, **21:8** [CC
495(1)(a)]

person discharged by lieuten-
ant governor, **27:114** [CC
617]

release on appearance notice,
21:19 [CC 497]

terrorist activity, to prevent,
4:40 [CC 83.3(4)]

ARSON AND OTHER FIRES

See FIRE

ASSAULT

- See also **SEXUAL ASSAULT, TRAFFICKING, PERSONS**
- Against person reading riot proclamation, **3:34** [CC **68(a)**]
- Aggravated assault, **10:246** [CC **268**]
 excision, **10:246** [CC **268(3), (4)**]
 internationally protected person, outside Canada, **2:16** [CC **7(3)**]
 United Nations or associated personnel, outside Canada, **2:16** [CC **7(3.71)**]
- Application of provision, **10:231** [CC **265(2)**]
- Apprehended consent, **10:231** [CC **265(4)**]
- “Bodily harm,” defined, **1:6** [CC **2**]
- Causing bodily harm, **10:240** [CC **267(b)**]
 internationally protected person outside Canada, **2:16** [CC **7(3)**]
 United Nations or associated personnel, outside Canada, **2:16** [CC **7(3.71)**]
- Clergyman, **7:109** [CC **176(1)(b)(i)**]
- Consent, **10:234, 10:235** [CC **265(3), (4)**]
 apprehended consent, **10:235** [CC **265(4)**]
- Defence of property, **2:126** [CC **38 to 42**]
- Definition, **10:232** [CC **265(1)**]
- Endangering safety of aircraft, **3:47** [CC **77(a)**]
- Endangering safety of airport, **3:47** [CC **77(b)**]

ASSAULT—Cont’d

- Internationally protected person, outside Canada, **2:16** [CC **7(3)**]
- Offence, **10:237** [CC **266**]
- Peace officer, **10:256** [CC **270(1)**]
 aggravated assault, **10:258** [CC **270.02**]
 assault with a weapon or causing bodily harm, **10:257** [CC **270.01**]
 consecutive sentences, **10:259** [CC **270.03**]
- Public transit operator, **10:253** [CC **269.01**]
- Queen, **3:1** [CC **46(1)(a)**]
 evidence of overt acts, **3:12** [CC **55**]
 statement in indictment, **27:25, 27:77** [CC **581(4), 601(9)**]
- Self-defence, **2:120 to 2:125** [CC **34 to 35**]
- Threat against internationally protected person, **2:16, 13:109** [CC **7(3), 424**]
- United Nations or associated personnel, outside Canada, **2:16** [CC **7(3.71)**]
- Unlawfully causing bodily harm, **10:251** [CC **269**]
- With intent
 to resist distress or seizure causing death, **10:67** [CC **231(4)**]
 to steal, **12:82** [CC **343(c)**]
- With weapon, **10:240** [CC **267(a)**]
 internationally protected person, outside Canada, **2:16** [CC **7(3)**]
 United Nations or associated personnel, outside Can-

ASSAULT—Cont'd

With weapon, **10:240** [CC
267(a)]—Cont'd
ada, **2:16** [CC **7(3.71)**]

ASSEMBLY

See also RIOT
Freedom of peaceful assembly,
41:6 [CA **2(c)**]
Riot, **3:27, 3:29** [CC **64, 65**]
Unlawful assembly, **3:25, 3:32**
[CC **63, 66**]

ASSESSMENTS (MENTAL DISORDER)

See also FITNESS TO STAND
TRIAL, HOSPITAL
ORDERS, MENTAL DIS-
ORDER

Appearance by accused when
completed, **28:12** [CC
672.191]

“Assessment,” **28:1** [CC
672.1(1)]

Assessment orders

application by accused,
27:279, 28:4 [CC **672(1),**
672.121]

application by prosecutor,
28:3, 28:4 [CC
672.12(2), (3), 672.121]

assessment completed, **28:12**
[CC **672.191**]

authority to make, **28:3, 28:4,**
28:91 [CC **672.12(1),**
672.121, 672.851(5)]

contents of order, **28:5, 28:8**
[CC **672.13(1),**
672.16(1.2)]

form of order, **28:5, 39:80,**
39:81 [CC **672.13(2),**
Forms 48 and 48.1]

grounds, **28:2, 28:4** [CC
672.11, 672.121]

ASSESSMENTS (MENTAL DISORDER)—Cont'd

Assessment orders—Cont'd
high-risk accused, see High-
risk accused
no treatment on assessment,
28:11 [CC **672.19**]
period of order, **28:6, 28:7**
[CC **672.14, 672.15**]
permanently unfit accused,
28:91 [CC **672.851(5)**]
presumption against custody,
28:8 [CC **672.16(1),**
(1.1), (1.2), (3)]
priority over bail hearing, **28:9**
[CC **672.17**]
variations of assessment order,
28:10 [CC **672.18**]

Assessment reports

authority to order, **28:13** [CC
672.2(1)]

distribution of report, **28:13**
[CC **672.2(3), (4)**]

filing with court or Review
Board, **28:13** [CC
672.2(2)]

protected statement, **28:13**
[CC **672.2**]

“Hospital,” **28:1** [CC **672.1(1)**]

“Medical practitioner,” **28:1**
[CC **672.1(1)**]

ASSISTANCE

See also AIDING AND ABET-
TING, PARTY TO
OFFENCE, ACCESSORY
AFTER FACT, COUNSEL-
LING

Assistance order, **20:73** [CC
487.02]

Assisting enemy at war, **3:1** [CC
46(1)(c)]

ASSISTANCE—Cont'd

- Assisting peace officer, **2:88, 2:105, 2:111, 2:115 [CC 25, 28, 31, 33]**
- omitting to assist, **6:34 [CC 129(b)]**

ASSOCIATION

- See also ORGANIZATION
- Freedom of, **41:2 [CA 2(d)]**

ATTEMPT

- Elements of attempt, **2:86 [CC 24]**
- Full offence charged, attempt proved, **27:249 [CC 660]**
- Full offence proved on charge of attempt, **27:251 [CC 661]**
- Jurisdiction of court, **19:1, 19:2 [CC 468, 469]**
- Jurisdiction of provincial court judge, **25:2 [CC 553(b)]**
- Order for particulars, **27:43 [CC 587(1)(d)]**
- Particular offences
 - causing another to utter forgery, **12:191 [CC 368(1)(b)]**
 - contravene Act of Parliament or regulation, **27:19 [CC 579.1]**
 - corruption by judicial officer, **6:4 [CC 119(1)(a)]**
 - corruption of municipal official, **6:23 [CC 123(2)]**
 - high treason, **3:1 [CC 46(1)(a)]**
 - inciting to mutiny, **3:10 [CC 53]**
 - obstructing justice, **6:67 [CC 139]**
 - piratical acts, **3:45 [CC 75(c)]**
 - Punishment, **18:1 [CC 463]**

ATTESTATION

- Form
 - statutory declaration, **40:147 [CEA 41]**
- Proof, **40:106 [CEA 34]**

**ATTORNEY GENERAL,
PROVINCIAL**

- Consent
 - dangerous offender application, **35:24 [CC 754(1)(a), (4)]**
 - investigative hearing, **4:37 [CC 83.28(3)]**
 - prosecution, **4:33, 13:98, 19:21, 19:27, 6:60, 7:64, 7:61, 7:67, 7:81, 7:98, 10:406, 10:408, 10:411, 12:76, 13:36 [CC 83.24, 422(3), 477.2, 478(3), 136(3), 164.1(8), 164(7), 166, 172(4), 174(3), 318(3), 319(6), 320(7), 342(1)(e), 385(2)]**
 - recognizance, for feared criminal organization offence, **38:67 [CC 810.01(1)]**
 - recognizance, for feared terrorism offence, **38:68 [CC 810.011]**
 - recognizance, for marriage-related offences, **38:69 [CC 810.02]**
 - recognizance, for suspected terrorist activity, **4:40 [CC 83.3(1)]**
- Licensing
 - automobile master key, **12:133 [CC 353(2)]**
- Preferring indictment, **27:6 [CC 577]**
- Report on wiretapping authorizations, **8:62 [CC 195(5)]**

ATTORNEY GENERAL,

PROVINCIAL—Cont'd

Requiring trial by jury, **25:45, 27:67 [CC 568, 598(1)(b)]**

Right of appeal

indictable offences, **29:14, 29:117, 29:126 [CC 676, 693, 696]**

summary conviction, **38:85, 38:125, 38:136, 38:140 [CC 813, 830(1), 839(1), (5)]**

Stay of proceedings, **27:15 [CC 579(1)]**

recommencement, **27:15 [CC 579(2)]**

ATTORNEY GENERAL OF CANADA

See also ATTORNEY GENERAL, PROVINCIAL

“Attorney General,” **1:3 [CC 2]**

Consent

court jurisdiction, **19:27, 19:29 [CC 478(3), 479]**

prosecution, **2:16, 3:11, 6:4, 10:136, 19:21, 19:19, 19:27 [CC 7(4.2), 54, 119(2), 251(3), 477.2, 477(2), 478(3), (3), (7)]**

transfer of probation order, **34:90 [CC 733(1)]**

Intervention by, **27:19 [CC 579.1]**

Right of appeal

indictable offence, **29:126 [CC 696]**

summary conviction, **38:85, 38:124, 38:135 [CC 813, 830, 839]**

AUDIO CONFERENCES

See VIDEO AND AUDIO EVIDENCE

AUDIO EVIDENCE

See VIDEO AND AUDIO EVIDENCE

AUTOMOBILE

See MOTOR VEHICLES

AUTREFOIS

ACQUIT/CONVICT

See also PLEA

Plea, **27:98 to 27:109 [CC 607 to 610]**

Right, **41:63 [CA 11(h)]**

AVAILS

See also DISORDERLY HOUSE

Householder permitting, **7:79 [CC 171]**

“Public place,” **9:64 [CC 213(2)]**

Recognizance to prevent offences, **38:70 [CC 810.1]**

BAIL

See JUDICIAL INTERIM RELEASE

BAILEE

Theft of things under seizure, **12:34 [CC 324]**

BANK

See also CURRENCY OFFENCES

Application to inspect account, **40:85 [CEA 29(6)]**

“Bank-note” defined, **1:3 [CC 2]**

“Financial institution” defined, **40:85 [CEA 29(9)]**

Fraudulent receipts under Bank Act, **13:43 [CC 390]**

Printing or using likeness of securities, **15:20 [CC 457]**

Production orders: financial information

compulsion by order only, **40:85 [CEA 29(5)]**

BANK—Cont’d

- Production orders: financial information—Cont’d copying of records, for, **40:85 [CEA 29(6)]**
- inspection of records, for, **40:85 [CEA 29(6)]**
- Records as evidence, **40:85 [CEA 29]**
- Valuation of securities, **2:4 [CC 4(2)]**
- Warrants to search, **40:85 [CEA 29(7)]**

BAWDY-HOUSE

- See DISORDERLY HOUSE

BENCH WARRANT

- See also ARREST
- Execution of, **27:66 [CC 597(2)]** discretion to postpone execution, **27:66 [CC 597]**
- Issuance, **27:66 [CC 597]**

BESETTING

- Generally, **13:101, 13:103 [CC 423(1)(f), (2)]**

BESTIALITY

- Arena for fighting, offence re, **14:77 [CC 447(1)]**
- Breach of order, **7:31 [CC 160(5)]**
- Compel another to commit, **7:31 [CC 160(2)]**
- Defined, **7:31 [CC 160(6)]**
- In presence of child, **7:31 [CC 160(3)]**
- Offence of, **7:32 [CC 160(1)]**
- Order of prohibition, **7:31, 7:33 [CC 160(4)(a), 161]**
- Order of restitution, **7:31 [CC 160(4)(b)]**
- Removal of child from Canada with intent, **10:275 [CC 273.3(1)(c)]**

BESTIALITY—Cont’d

- Sexual activity evidence, see SEXUAL ACTIVITY EVIDENCE

BETTING AND RELATED OFFENCES

- Advertising offer to bet, **9:20, 9:22 [CC 202(1)(h), (2)]** assisting offence, **9:20 [CC 202(1)(j)]**
- Agreeing to purchase or sell information, **9:20, 9:22 [CC 202(1)(e), (2)]** assisting offence, **9:20 [CC 202(1)(j)]**
- Agreeing to purchase or sell privileges, **9:20, 9:22 [CC 202(1)(e), (2)]** assisting offence, **9:20 [CC 202(1)(j)]**
- Cheating, **9:46 [CC 209]**
- Controlling property related to betting, **9:20, 9:22 [CC 202(1)(c), (2)]** assisting offence, **9:20 [CC 202(1)(j)]**
- Dealing in betting device, **9:20, 9:22 [CC 202(1)(b), (2)]** assisting offence, **9:20 [CC 202(1)(j)]**
- Engaging in occupation, **9:20, 9:22 [CC 202(1)(e), (2)]** assisting offence, **9:20 [CC 202(1)(j)]**
- Exemptions from offences, **9:28 [CC 204]**
- Jurisdiction of provincial judge, **25:2 [CC 553]**
- Pari-mutuel system, **9:28 [CC 204]** lottery provisions not applicable, **9:40 [CC 207(5)]**

BETTING AND RELATED

OFFENCES—Cont'd

Pari-mutuel system, **9:28** [CC **204**]—Cont'd

violation of provisions, **9:28** [CC **204(8)**]

Permitting use of place for recording bet, **9:20, 9:22** [CC **202(1)(a), (2)**]

assisting offence, **9:20** [CC **202(1)(j)**]

Placing bet for others, **9:26** [CC **203**]

Printing or providing information, **9:20, 9:22** [CC **202(1)(f), (2)**]

assisting offence, **9:20** [CC **202(1)(j)**]

Recording or registering bet, **9:20, 9:22** [CC **202(1)(d), (2)**]

assisting offence, **9:20** [CC **202(1)(j)**]

Sending or receiving information, **9:20, 9:22** [CC **202(1)(i), (2)**]

assisting offence, **9:20** [CC **202(1)(j)**]

BIGAMY

See also PROCURING

Offence, **10:352, 10:357** [CC **290, 291**]

BINDING OVER

See also WITNESS

Material witness, **31:4, 31:18, 31:19, 31:20** [CC **698(2), 704, 705, 706(b)**]

To keep peace, **38:64, 42:17, 42:23** [CC **810(3), YCJA 14(2), 20(2)**]

young persons, **42:17, 42:23** [YCJA **14(2), 20(2)**]

BLACKMAIL

See EXTORTION

BLOOD SAMPLE

See DRIVING OFFENCES

BOARDS OF REVIEW

See REVIEW BOARDS

BOAT

See VESSELS, SHIP

BODILY HARM

See also ASSAULT, SEXUAL ASSAULT

Assault causing, **10:240** [CC **267**]

Breach of contract, **13:98** [CC **422**]

Causing, **10:251** [CC **269**]

by failure to safeguard hole in ice or excavation, **10:218** [CC **263(3)(b)**]

by fire or explosion, **3:53, 3:54, 14:23** [CC **80(b), 81, 433(b)**]

unlawfully, **2:16, 10:251** [CC **7(3), (3.71), 269**]

with intent, air gun or pistol, **10:120** [CC **244.1**]

with intent, firearm, **10:114** [CC **244**]

Criminal negligence causing, **10:30** [CC **221**]

dangerous operation included offence, **27:253** [CC **662(5)**]

duty of persons directing work, **10:12** [CC **217.1**]

organizational liability for, **2:77, 10:12** [CC **22.1, 217.1**]

Defined, **1:3** [CC **2**]

Duty of persons directing work to prevent, **10:12** [CC **217.1**]

BODILY HARM—Cont'd

- Interference with transportation facilities, **10:132** [CC 248]
- Internationally protected person outside Canada, **2:16** [CC 7(3)]
- Punishment, **10:240** [CC 267]
- Restitution to victim, **34:121** [CC 738(1)(b), (c), (2)]
- Sureties to keep peace, **38:61, 42:17, 42:23** [CC 810, YCJA 14(2), 20(2)]
- Threatening, **13:101** [CC 423]
- To Queen
 - evidence of overt acts, **3:12, 27:21, 27:77** [CC 55, 581(4), 601(9)]
- Traps causing or likely to cause, **10:129** [CC 247]
- United Nations or associated personnel, outside Canada, **2:16** [CC 7(3.71)]

BODILY SUBSTANCE

- Analyst
 - attendance of, requiring, **34:70, 38:83** [CC 729.1(4), 811.1(4)]
 - certificate of, proof of, **34:70, 38:83** [CC 729.1(1), 811.1(1)]
 - definition of, **34:70, 38:83** [CC 729.1(2), 811.1(2)]
- Certificate, analyst's
 - notice of intention to produce, **34:70, 38:83** [CC 729.1(3), 811.1(3)]
- Conditional sentence, **34:140** [CC 742.3]
- Probation, **34:85** [CC 732.1]
- Prohibitions re
 - exception, **34:87, 34:141, 38:79** [CC 732.11(3), 742.31(3), 810.4(3)]

BODILY SUBSTANCE—Cont'd

- Prohibitions re—Cont'd
 - offence, **34:87, 34:141, 38:79** [CC 732.11(4), 742.31(4), 810.4(4)]
 - results of analysis, disclosure/ use of, **34:87, 34:141, 38:79** [CC 732.11(2), 742.31(2), 810.4(2)]
 - sample, use of, **34:87, 34:141, 38:79** [CC 732.11(1), 742.31(1), 810.4(1)]
- Samples
 - designations, **34:85, 34:140, 38:78** [CC 732.1(8) to (9), 742.3(6) to (7), 810.3(1) to (2)]
 - destruction of, **34:85, 34:140, 38:78** [CC 732.1(11), 742.3(9), 810.3(4)]
 - notice of, **34:85, 34:140, 38:78** [CC 732.1(7), 742.3(5), 810.3(6)]
 - prohibitions re, **34:87, 34:141, 38:79** [CC 732.11, 742.31, 810.4]
 - regular intervals, at, **34:85, 34:140, 38:78** [CC 732.1(7), 742.3(5), 810.3(6)]
 - regulations re, **34:85, 34:140, 38:78** [CC 732.1(12), 742.3(10), 810.3(5)]
 - restriction, **34:85, 34:140, 38:78** [CC 732.1(10), 742.3(8), 810.3(3)]
 - specifications, **34:85, 34:140, 38:78** [CC 732.1(8), 742.3(6), 810.3(1)]
- Sex offenders, **34:85** [CC 732.1]

BOND

See PEACE

BOOK-MAKING

See also BETTING AND RELATED OFFENCES

BOOK-MAKING—Cont'd

- Jurisdiction of provincial judge,
25:2 [CC 553(c)(ii)]
- Offences, 9:20 [CC 202(1)(e) to
(g)]
- Punishment, 9:22 [CC 202(2)]

BOUNDARY LINES AND MARKS

- Interference with
boundary lines, 14:56 [CC
442]
- international marks, 14:60
[CC 443(1)]
- lawful excuse, 14:4 [CC
429(2)]
- surveyor's exception, 14:59
[CC 443(2)]
- Jurisdiction over offences near
boundary, 19:14 [CC 476]

BREACH OF CONTRACT

- Criminal, 13:99 [CC 422(1)]
- Exception, 13:100 [CC 422(2)]
- Institution of proceedings, 13:98
[CC 422(3)]

BREACH OF PEACE

- Arrest by peace officer, 2:112
[CC 31(1)]
- In presence of Queen
evidence of overt acts, 3:12,
19:1, 19:2, 27:21, 27:77
[CC 55, 468, 469,
581(4), 601(9)]
- Interference to prevent, 2:109
[CC 30]
- Suppression of riot, 2:113 [CC
32]

BREACH OF PROBATION

- See PROBATION

BREACH OF TRUST

- See also TRUST
- Criminal, 12:65 [CC 336]

BREACH OF TRUST—Cont'd

- Public officer, 6:17 [CC 122]

BREAKING AND ENTERING

- And committing offence, 12:100
[CC 348(1)(b)]
- "Break," 5:47, 12:1 [CC 98(2),
321]
- Breaking out, 5:47, 12:100 [CC
98(1)(c), 348(1)(c)]
- Coin-operated device, 12:130
[CC 352]
- Dwelling-house, 12:100 [CC
348(1)(d)]
- "dwelling-house," 1:3 [CC 2]
- "entrance," 12:119 [CC 350]
- "place," 12:103 [CC 348(3)]
- Home invasion, aggravating
circumstance, 12:113 [CC
348.1]
- Other than dwelling-house,
12:100 [CC 348(1)(e)]
- Possession of instruments,
12:125, 12:130 [CC 351(1),
352]
- Presumption of offence, 12:100
[CC 348(2)(b)]
- Punishment/sentence
 - DNA order on conviction dis-
charge, 20:77, 20:81 [CC
487.04, 487.051]
 - general, 12:100 [CC 348]
 - where dwelling-house
involved, 12:100, 12:113
[CC 348(1)(d), 348.1]
 - where firearm stolen, 5:47
[CC 98(4)]
 - where home invasion
involved, 12:100, 12:113
[CC 348(1)(d), 348.1]
 - where intent to steal firearm,
5:47 [CC 98(4)]
- To steal firearm, 5:47 [CC 98]
- "entrance," 5:47 [CC 98(3)]
- "place," 5:47 [CC 98(2)]

BREAKING AND ENTERING

—Cont’d

- Unlawfully in a dwelling house,
12:115 [CC 349(1)]
- presumption of intent, 12:114
[CC 349(2)]
- With intent to commit offence,
12:100 [CC 348(1)(a)]
- presumption, 12:100 [CC
348(2)(a)]

BREAK-IN INSTRUMENTS

- For coin-operated or currency-
exchange devices, 12:130
[CC 352]
- for place, motor vehicle, vault
or safe, 12:125 [CC
351(1)]

BREATHALYZER

- See DRIVING OFFENCES

BREATH SAMPLE

- See DRIVING OFFENCES

BRIBERY

- See also CORRUPTION
- Influencing appointment to pub-
lic office, 6:26 [CC 125]
- Judicial officer, 6:4 [CC 119]
- consent to prosecution, 6:4
[CC 119(2)]
- superior court jurisdiction,
19:1, 19:2 [CC 468, 469]
- Juror, 6:70 [CC 139(3)]
- Municipal official, 6:23 [CC
123]
- Peace officer, 6:6 [CC 120]
- Person administering criminal
law, 6:6 [CC 120]
- Public officer, 6:6, 6:11 [CC
120, 121]
- loss of capacity to contract,
34:200 [CC 750(3), (4)]
- Secret commission, 13:115 [CC
426]

BRIBERY—Cont’d

- Selling or purchasing office,
6:25 [CC 124]
- Witness, 6:67 [CC 139(3)(c)]

BRITISH COLUMBIA

- Generally, 1:3, 8:42, 10:411,
21:1, 25:1, 34:184, 38:84,
38:91 [CC 2, 188(4),
320(8), 493, 552, 745.6(3),
812, 814(3)]

BROADCASTING

- See PUBLICATION

BROKER

- Acquiring stocks or merchandise
for purchaser, 13:34 [CC
383(1)]
- Reducing stock by selling for
own account, 13:35 [CC
384]

BUILDING

- Damage by occupant, 14:53 [CC
441]
- defence, 14:4 [CC 429(2)]

BUOYS

- Interfering with marine signal,
14:48 [CC 439]
- defence, 14:4 [CC 429(2)]

BURDEN OF PROOF

- Presumption of innocence, 41:64
[CA Part I 11(d)]

BURGLARS TOOLS

- See BREAK-IN INSTRU-
MENTS

BURGLARY

- See BREAKING AND ENTER-
ING

BURIAL

- Failure in duty, 7:126 [CC
182(a)]

BURIAL—Cont'd

Register of burials
defacing or making false
entry, **12:213** [CC
377(1)(a), (b)]

BUSINESS

See also CORPORATION,
ORGANIZATION
Defined, **40:90, 47:3** [CEA
30(12), FA 2(1)]
Financial institutions, entry in
book or record, **40:86,**
40:87 [CEA **29(1), (2)**]
Record as evidence, **40:90** [CEA
30]

CABLE

False message, **12:206** [CC
372(1)]

CANADIAN FORCES

See ARMED FORCES

CAPACITY

See CRIMINAL
RESPONSIBILITY

CARRIAGE

Cruelty to animals, **14:70** [CC
446(1)(b)]
defence, **14:4** [CC **429(2)**]
False representation to obtain,
13:67 [CC **401**]
forfeiture of goods, **13:67** [CC
401(2)]

CASE MANAGEMENT

Application to summary
proceedings, **38:23** [CC
795]
Appointment of judge
application for, **24:1** [CC
551.1(1)]
conference or hearing re, **24:1**
[CC **551.1(2)**]

CASE MANAGEMENT

—Cont'd

Appointment of judge—Cont'd
same judge may try case, **24:1**
[CC **551.1(4)**]
Compelling attendance, **19:37,**
24:7 [CC **482.1(3),**
551.7(7), (4)]
Conferences, **24:1, 24:7** [CC
551.1(2), 551.7(2)]
Hearings
appointment, re, **24:1** [CC
551.1(2)]
Charter issues, re, **24:3** [CC
551.3(2)]
evidentiary issues, re, **24:3,**
24:7 [CC **551.3(2),**
551.7]
joint, **24:7** [CC **551.7**]
severance, re, **24:3** [CC
551.3(2)]
Joint hearings
adjudication as at trial, **24:7**
[CC **551.7(10)**]
application for, **24:7** [CC
551.7(1)]
considerations, **24:7** [CC
551.7(3)]
limitation, **24:7** [CC **551.7(4)**]
order for, **24:7** [CC **551.7(3)**
to (5)]
powers of judge, **24:7** [CC
551.7(9)]
prisoner, removal of, **24:7**
[CC **551.7(8)**]
procuring attendance at, **24:7**
[CC **551.7(7)**]
record, **24:7** [CC **551.7(5) to**
(6), (11)]
return of documents, **24:7**
[CC **551.7(11)**]
Judge
appointment, **24:1** [CC **551.1**]

CASE MANAGEMENT

- Cont’d
- Judge—Cont’d
 - decision binding, **24:3** [CC **551.3(4)**]
 - duties, **24:4** [CC **551.4**]
 - powers, **24:3, 24:6, 24:7** [CC **551.3, 551.6(2), 551.7(9)**]
 - referral of issues to, **24:6** [CC **551.6**]
 - role of, **24:2** [CC **551.2**]
- Record, trial
 - decision in joint hearing to be part of, **24:7** [CC **551.7(11)**]
 - information to be part of, **24:4** [CC **551.4**]
 - order re joint hearing to be part of, **24:7** [CC **551.7(5)**]
 - transmission of court record, **24:7** [CC **551.7(6)**]
- Rules
 - approval by lieutenant governor in council, **19:37** [CC **482.1(5)**]
 - compliance with directions under, **19:37** [CC **482.1(2)**]
 - power to make, **19:37** [CC **482.1(1)**]
 - publication, **19:35, 19:37** [CC **482(4), 482.1(6)**]
 - regulations to secure uniformity, **19:35, 19:37** [CC **482(5), 482.1(6)**]
- Trial to proceed continuously, **24:5** [CC **551.5**]

CATTLE

- See also ANIMALS
- “Cattle,” **1:3** [CC **2**]
- Defacing or making false brand, **12:69** [CC **338(1)(b)**]

CATTLE—Cont’d

- Fraudulent taking, **12:69** [CC **338(1)(a)**]
- Injuring or endangering defence, **14:4** [CC **429(2)**]
- Poisoning
 - defence, **14:4** [CC **429(2)**]
- Theft, **12:69** [CC **338(2)**]

CAUSE DISTURBANCE

- See DISTURBANCE

CERTIFICATE

- See also BLOOD SAMPLE, NOTICE
- Offences
 - falsifying, **12:215** [CC **378**]
 - fraudulent use, citizenship, **3:17** [CC **58**]
 - fraudulent use, naturalization, **3:17** [CC **58**]
 - unlawful possession, military certificate, **13:95** [CC **419(c), (d)**]
- Types of certificate
 - conviction, **27:268** [CC **667**]
 - defamation in parliamentary papers, **10:404** [CC **316(3)**]
 - default of recognizance, **36:12** [CC **770**]
 - examiner of counterfeit, **15:29** [CC **461(2), (3), (4)**]
 - failure to appear, **6:91** [CC **145(9)**]
 - fingerprint examiner, **27:268** [CC **667(1)(c)**]
 - Imperial certificate, **40:72** [CEA **20**]
 - marriage, **10:357** [CC **291(2)**]
 - non-payment of costs, **38:120** [CC **827(2)**]
 - previous conviction, **27:269, 40:50** [CC **667(1), CEA 12(2)**]

CERTIFICATE—Cont'd

- Types of certificate—Cont'd
 - Secretary of State for External Affairs, **2:16** [CC 7(11)]
 - transcript of evidence at preliminary, **23:38, 23:39** [CC 540(5), (6)]

CERTIFIED COPY

- See also DOCUMENT, RECORD
- As evidence of documents, **40:77** [CEA 24]
- As evidence of judicial proceedings, **40:75** [CEA 23]
- Documents
 - banking record, **40:85** [CEA 29]
 - business record, **40:90** [CEA 30(3)]
 - conviction or order, **25:50, 38:54** [CC 570, 806]
 - notarial act or instrument, **40:82** [CEA 27]
 - order of discharge, **25:52** [CC 570(2)]
 - order of dismissal, **38:57** [CC 808]
- Falsifying, **12:215** [CC 378]
- Notice of production of copy, **40:83** [CEA 28]
- Proof of handwriting, **40:105** [CEA 33(1)]

CERTIORARI

- Appeal, **37:28, 37:29** [CC 784(1), (2)]
- Availability
 - appeal as bar, **37:10** [CC 776]
 - recognizance as condition, **37:17** [CC 779]
 - to quash warrant of committal, **37:23** [CC 782]
- Effect of dismissal of application, **37:19** [CC 780]

CERTIORARI—Cont'd

- Order for further detention, **37:7** [CC 775]
- Protection of judicial officials, **37:25** [CC 783]
- Review of conviction or order, **37:13, 37:16** [CC 777, 778]
- Rules of court, **19:35** [CC 482(3)(c)]
- Want or proof of enactment not ground, **37:21** [CC 781]

CHALLENGE

- See JURY

CHANGE OF VENUE

- See VENUE

CHARACTER EVIDENCE

- And evidence of previous conviction, **27:262** [CC 666]
- Dangerous offender application, **35:28** [CC 757]
- Impeaching credit of witness, **40:34** [CEA 9]
- Of complainant, **10:287** [CC 277]

CHARTER RIGHTS

- See LEGAL RIGHTS

CHEATING AT PLAY

- Offence, **9:46** [CC 209]
- jurisdiction of provincial court judge, **25:2** [CC 553(c)(v)]

CHEQUE

- See also FALSE PRETENSE, FRAUD
- "Cheque," **12:174, 12:181** [CC 362(5), 364(3)]
- Proof of "no account," **40:88** [CEA 29(3)]

CHEQUE—Cont'd

- Worthless cheque
 - presumption of false pretence, **12:173 [CC 362(4)]**
 - presumption of fraud, **12:181 [CC 364(2)]**

CHILD

See also ABDUCTION, CHILD WITNESSES (PROTECTION OF)

Abandonment

- child under 10, **10:1, 10:13 [CC 214, 218]**

Abduction

- consent no defence, **10:339 [CC 286]**
- consent of parent, **10:336 [CC 284]**
- custody order, **10:331 [CC 282]**
- defence, **10:337 [CC 285]**
- no custody order, **10:333 [CC 283]**
- offences, **10:331 to 10:335 [CC 281 to 283]**
- protection of child defence, **10:337 [CC 285]**
- removal from Canada with intent, **10:275 [CC 273.3]**

Bestiality, **7:31 [CC 160(3)]**

- removal from Canada with intent, **10:275 [CC 273.3(1)(c)]**

“Child,” **7:81, 42:3 [CC 172(3), YCJA 2(1)]**

Consent of

- defence, **7:3 [CC 150.1(2) to (2.3), (6)]**
- no defence, **7:3 [CC 150.1(1)]**

Correcting, with reasonable force, **2:127 [CC 43]**

CHILD—Cont'd

- Corruption, **7:82 [CC 172(1)]**
- “child,” **7:81 [CC 172(3)]**
- consent to prosecution, **7:81 [CC 172(4)]**
- limitation period, **7:13, 7:83 [CC 152, 172(2)]**

Criminal responsibility, **2:34 [CC 13]**

Evidence

- proof of age, **27:246 [CC 658]**
- under 14 years, as witness, **40:59 [CEA 16]**
- videotaped complaint, **31:53 [CC 715.1]**
- youth justice court proceedings, **42:174 [YCJA 151]**

Incest, **7:23 [CC 155]**

- “brother,” **7:23 [CC 155(4)]**
- “sister,” **7:23 [CC 155(4)]**

Infanticide, **10:78 [CC 233]**

- concealing body as included offence, **27:257 [CC 662(4)]**
- conviction, **27:258 [CC 663]**
- punishment, **10:88 [CC 237]**

Necessaries

- duty and failure in duty, **10:3 [CC 215]**

Newly-born and unborn

- becoming human being, **10:38 [CC 223(1)]**
- concealing body, **10:111 [CC 243]**
- failure to obtain assistance in birth, **10:109 [CC 242]**
- killing in act of birth, **10:89 [CC 238]**

“newly-born child,” **1:3 [CC 2]**

- pre-natal injuries causing death, **10:38 [CC 223(2)]**

No conviction where under 12, **2:34 [CC 13]**

CHILD—Cont'd

- Permitting defilement
 - female under 18, **7:79** [CC **171**]
 - removal from Canada with intent, **10:275** [CC **273.3(1)(c)**]
- Person under/ind_cont 16
 - bestiality, **7:31** [CC **160(3)**]
 - invitation to sexual touching, **7:13** [CC **152**]
 - sexual interference, **7:8** [CC **151**]
 - where fear of sexual offence, **38:70, 38:81** [CC **810.1, 811**]
- Person under 18 removal from Canada with intent, **10:275** [CC **273.3(1)(c)**]
- Procuring defilement, **7:78** [CC **170**]
 - removal from Canada with intent, **10:275** [CC **273.3(1)(c)**]
- Proof of age, **27:246** [CC **658**]
- Protection of persons correcting, **2:127** [CC **43**]
- Removal from Canada, **10:275** [CC **273.3**]
- Sexual offences outside Canada, **2:16** [CC **7(4.1)**]
- Trafficking, **10:321** [CC **279.011**]
- Young person
 - defined, **7:17** [CC **153(2)**]
 - sexual exploitation of, **7:16** [CC **153(1)**]

CHILD PORNOGRAPHY

- Accessing, **7:53** [CC **163.1(4.1), (4.2)**]
- Aggravating factor, **7:53** [CC **163.1(4.3)**]
- Defences, **7:58, 7:59, 7:60** [CC **163.1(5), (6), (7)**]

CHILD PORNOGRAPHY

—Cont'd

- Definition, **7:54** [CC **163.1(1)**]
- Deletion from computer system
 - appeal from order, **7:61, 7:64** [CC **164(6), 164.1(8)**]
 - commencement of order, **7:64** [CC **164.1(5)**]
 - consent to prosecute where order for deletion, **7:61, 7:64** [CC **164(7), 164.1(8)**]
 - definitions, **7:61, 7:64** [CC **164(8), 164.1(8)**]
 - destruction of copy, **7:64** [CC **164.1(6)**]
 - ex parte proceeding, **7:64** [CC **164.1(4)**]
 - notice to person who posted, **7:64** [CC **164.1(2)**]
 - order for deletion of material, **7:64** [CC **164.1(5), (6)**]
 - return of material, **7:64** [CC **164.1(7)**]
 - right to appear at hearing, **7:64** [CC **164.1(3)**]
- Distribution or sale, **7:56** [CC **163.1(3)**]
- Exporting, **7:53 (3)** [CC **163.1 (3)**]
- Forfeiture
 - child pornography (in rem), **7:61** [CC **164**]
 - things used in child pornography, **7:65, 7:66, 29:103** [CC **164.2, 164.3, 689**]
- Importing, **7:56** [CC **163.1(3)**]
- Making, **7:55** [CC **163.1(2)**]
- Motive irrelevant, **7:48, 7:60** [CC **163(5), 163.1(7)**]
- Order of prohibition, **7:33** [CC **161**]
- Possession, **7:57** [CC **163.1(4)**]

CHILD PORNOGRAPHY

- Cont’d
- Possession for purpose, **7:56**
[CC 163.1(3)]
- Recognizance to prevent offence,
38:70 [CC 810.1]
- Seizure
 - electronic documents/
publications, **7:64** [CC
164.1(1)]
 - print documents/publications,
7:62 [CC 164(1)]
- Transmitting, **7:56** [CC
163.1(3)]
- Warrant of seizure, **7:61, 7:64**
[CC 164, 164.1]
 - sealing order for information
to obtain, **20:115** [CC
487.3]

CHILD WITNESSES (PROTECTION OF)

- See also PUBLICITY, WIT-
NESS
- Generally, **20:8 to 20:25, 27:248**
[CC 486 to 486.7, 659]
- Accused not to cross-examine,
20:17 [CC 486.3]
- Order restricting publication,
20:20, 20:22 [CC 486.4,
486.5]
- offence, **20:24** [CC 486.6]
- Particular offences, **20:8** [CC
486]
- Support person, **20:15** [CC
486.1]
- Testifying outside courtroom or
behind a screen, **20:16** [CC
486.2]
- Videotaped evidence, **31:53** [CC
715.1]

CHOKING

- Attempt, **10:127** [CC 246]

CIVIL PROCEEDINGS

- Remedies preserved, **2:30** [CC
11]
- Threat to institute not extortion,
12:94 [CC 346(2)]

CIVIL SERVANT

- See also BRIBERY, CORRUPT-
TION
- Disabilities on conviction,
34:200 [CC 750(2)]
- vacancy in employment,
34:200 [CC 750(1)]

CLERK OF COURT

- Adjournment in absence of jury
and judge, **19:10** [CC 474]
- Certificate of failure to attend,
6:91 to 6:93 [CC 145(9) to
(11)]
- Certificate of non-payment of
costs, **38:120** [CC 827(2)]
- “Clerk of the court,” **1:3, 36:1**
[CC 2, 762(2)]
- Entry of stay, **27:15** [CC 579]
- Notice of indictment to organiza-
tion, **27:116** [CC 621(1)]
- Notice to judge before fixing
trial date, **25:22** [CC
560(1)]
- “Registrar” as, **29:1** [CC 673]
- Transmission of order for
enforcement, **38:121** [CC
828(3)]
- Youth justice court, **42:24**
[YCJA 21]

COCK-PIT

- Building or keeping, **14:77** [CC
447(1)]
- Confiscation of birds, **14:77** [CC
447(2)]

COIN

- See CURRENCY OFFENCES

COIN-OPERATED DEVICE

Possession of instruments to break, **12:130 [CC 352]**
Slugs and tokens, **15:14 [CC 454]**

COLLECTIVE BARGAINING

See EMPLOYMENT,
INDUSTRIAL DISPUTE,
TRADE UNION

COLOUR OF RIGHT

Theft, **12:3 [CC 322]**
Wilful damage to property, **14:4 [CC 429(2)]**

COMMISSION EVIDENCE

Admitting evidence of witness who is ill, **31:30 [CC 711]**
Appointment of commissioner, **31:25, 31:28 [CC 709, 710]**
evidence of physician, **31:28 [CC 710(2)]**
Presence of accused or counsel, **31:33 [CC 713(1)]**
Process used not contrary to principles of fundamental justice, **31:34 [CC 713.1]**
Reading in evidence, **31:30, 31:31, 31:34 [CC 711, 712(2), 713.1]**
Return of evidence, **31:33 [CC 713(2)]**

COMMITTAL FOR TRIAL

See ORDER TO STAND TRIAL

COMMITTAL TO CUSTODY

See WARRANT, PRELIMINARY INQUIRY

COMMON BAWDY HOUSE

COMMON BETTING HOUSE;
COMMON GAMING
HOUSE, See
DISORDERLY HOUSE

COMMON LAW

Abolition of offences, **2:23 [CC 9(a)]**
And business records provisions, **40:90 [CEA 30(11)(b)]**
DEFENCES
see Defences (Common Law)
Preservation of defences, **2:22 [CC 8(3)]**
Spouse as witness
common law exceptions, **40:11 [CEA 4(5)]**

COMMON-LAW PARTNER

Duty to provide necessities, **10:3 [CC 215(1)(b)]**
Failure to provide necessities, **10:5 [CC 215(2)]**
necessaries provided by another no defence, **10:3 [CC 215(4)(d)]**
punishment, **10:6 [CC 215(3)]**
Grandfathered individual, next of kin, **47:13 [FA 12(7)]**
Interview with, on firearms licence application, **47:45 [FA 55(2)]**
Intimidation, **13:101 [CC 423(1)(a)]**
exception, **34:117 [CC 423(2)]**
punishment, **13:102 [CC 423(1)]**
Restitution to, **34:121 [CC 738(1)(c)]**
Sentencing principles protecting, **34:19 [CC 718.2(a)(ii)]**
Sureties to protect, **38:62 [CC 810(1)]**

COMMON NUISANCE

Generally, **7:121 [CC 180]**

COMMUNICATIONS

See INTERCEPTION OF
PRIVATE COMMUNICA-
TIONS

**COMMUNITY IMPACT
STATEMENT**

- Generally, **34:53** [CC 722.2(1)]
- Conditions of exclusions, **34:53** [CC 722.2(4)]
- Copy of statement, **34:53** [CC 722.2(5)]
- Form, **34:53** [CC 722.2(2)]
- Presentation of statement, **34:53** [CC 722.2(3)]

COMPELLABILITY

- See COMPETENCE AND COMPELLABILITY, PRIVILEGE

**COMPELLING APPEARANCE
OF ACCUSED**

- See JUDICIAL INTERIM RELEASE

**COMPENSATION AND
RESTITUTION**

- Amount of loss, **34:122** [CC 738(1)]
- Appeal of
 - operation suspended, **29:103** [CC 689(1)]
 - variation on, **29:103** [CC 689(2)]
- Bodily harm, **34:121** [CC 738(1)(b), (c), (2)]
- Bona fide purchaser, **34:123** [CC 739]
- Civil remedy, **34:132** [CC 741.2]
- Default in payment, **34:129** [CC 741]
- Enforcement, **34:129** [CC 741]
 - moneys found on offender, **34:129** [CC 741(2)]
- Joint offenders, **38:56** [CC 807]
- Moneys found on offender, **34:129** [CC 741(2)]
- Person aggrieved, **34:129** [CC 741]
 - notice to, **34:131** [CC 741.1]

**COMPENSATION AND
RESTITUTION—Cont'd**

- Priority of payment, **34:128** [CC 740]
- Property, **34:121** [CC 738(1)(a), (2)]
- Victim fine surcharge, **34:118** [CC 737(1)]
 - amounts to aid victims, **34:117** [CC 737(5)]
 - enforcement, **34:117** [CC 737(7)]
 - exception, **34:117** [CC 737(2.1) to (2.4), (8)]
 - increase in surcharge, **34:117** [CC 737(3)]
 - notice, **34:117** [CC 737(6)]
 - time for payment, **34:117** [CC 737(4)]

**COMPETENCE AND
COMPELLABILITY**

- See also PRIVILEGE
- Accused, **41:63, 40:6** [CA 11(c), CEA 4(1)]
- Bank, **40:85** [CEA 29(5)]
- Spouse, of accused, **40:6, 40:7, 40:10, 40:11** [CEA 4(1), (2), (4), (5)]
- Witness of defective intellect, **40:59** [CEA 16]
- Witness under 14 years of age, **40:59** [CEA 16]

COMPLAINANT

- See also CONSENT, PERSONAL RECORD OF COMPLAINANT, SEXUAL ACTIVITY EVIDENCE
- Generally, **1:3** [CC 2]

**COMPOUNDING INDICTABLE
OFFENCE**

- Generally, **6:75** [CC 141]

COMPULSION (DURESS)

- As defence (excuse)
 - incest by female, **7:26 [CC 155(3)]**
 - spouse, **2:56 [CC 18]**
 - threats, **2:50 [CC 17]**

COMPUTERS

- See also DATA, MISCHIEF
- Definitions, **12:76, 14:5 [CC 342.1(2), 430(8)]**
 - mischief in relation to data, **14:5 [CC 430(1.1), (5)]**
- Deletion of child pornography, **7:64 [CC 164.1]**
- Deletion of hate propaganda, **10:414 [CC 320.1]**
- Electronic documents
 - see Document
- Luring child by means of, **7:84 [CC 172.1]**
- Possession of device to obtain computer system, **12:81 [CC 342.2]**
- Search of computer system, **20:26 [CC 487]**
- Systems administrators
 - interception of private communications by, **8:5, 8:55 [CC 184(2)(e), (3), 193(2)(d)(iii)]**
- Unauthorized use, **12:79 [CC 342.1]**

CONCEALMENT

- Body of child, **10:111 [CC 243]**
- Document, **12:72 [CC 340]**
- Fraudulent concealment, **12:74 [CC 341]**
- Indictable offence, **6:75 [CC 141]**
- Title document, **12:72, 13:37 [CC 340, 385(1)]**
- Wreck, **13:91 [CC 415(a)]**

CONDITIONAL SENTENCE

- BODILY SUBSTANCE
 - see Bodily Substance
- Breach, **34:144, 34:149 [CC 742.6, 742.7]**
- Compulsory conditions, **34:140 [CC 742.3]**
- Imposing of, **34:134 [CC 742.1]**
- Imprisonment for new offence, upon, **34:149 [CC 742.7]**
- Prohibitions, **34:139 [CC 742.2]**
- Supervisor may propose changes, **34:142 [CC 742.4]**
- Transfer of order, **34:143 [CC 742.5]**

CONFESSION

- See also ADMISSION
- Admissibility at preliminary publication, **23:46 [CC 542(2)]**
- Young person, **42:13, 42:168, 42:170 [YCJA 10(4), 146, 147]**

CONFINEMENT

- See also ABDUCTION, KIDNAPPING
- As primary crime in murder, **10:62, 10:73 [CC 230, 231(5)]**
- Internationally protected person, outside Canada, **2:16 [CC 7(3), (5) to (7)]**
- Offence, **10:313 [CC 279(2)]**
- Sentencing
 - home invasion, aggravating circumstance, **12:113 [CC 348.1]**

CONSENT

- See also ATTORNEY GENERAL OF CANADA

CONSENT—Cont'd

- Aggravated assault, **10:249 [CC 268(4)]**
- Assault and sexual assault
 - apprehended, **10:235 [CC 265(4)]**
 - non-consent, **10:234 [CC 265(3)]**
- Child (person under 16)
 - defence, **7:3 [CC 150.1(2) to (2.2), (6)]**
 - no defence, **7:3, 7:21, 10:339 [CC 150.1(1), 153.1(5), 286]**
- Child trafficking, **10:321 [CC 279.011(2)]**
- Human trafficking, **10:320, 10:321 [CC 279.01(2), 279.011(2)]**
- Not affecting criminal responsibility, **2:36 [CC 14]**
- Person with disability
 - defence, **7:21 [CC 153.1(6)]**
 - no defence, **7:21 [CC 153.1(5)]**
- Preferring indictment, **27:6 [CC 577]**
- Prosecutor
 - plea of guilty to other offence, **27:94 [CC 606(4)]**
- Recommencement of proceedings, **20:6 [CC 485.1]**
- Re-election, **25:23, 25:25, 29:124 [CC 561, 561.1, 695(2), (3)]**
- Sexual assault
 - apprehended consent no defence, **10:272 [CC 273.2]**
 - consent, **7:21, 10:271 [CC 153.1(2), (3), (4), 273.1(2), (3)]**
- Sexual exploitation of person with disability, **7:21 [CC 153.1(5), (6)]**

CONSENT—Cont'd

- Sufficiency of count averring consent, **27:36 [CC 583(h)]**
- Theft, forgery of credit card, **12:76 [CC 342(2)]**
- Transfer of probation order, **34:90 [CC 733(1)]**
- Trial by Nunavut court judge, **25:6 [CC 554]**
- Trial by provincial court judge, **25:6 [CC 554]**
- Trial without jury, **19:8 [CC 473]**

CONSIGNMENT

- Fraudulent disposition of goods, **13:42 [CC 389]**

CONSPIRACY

- Appearance at trial, **18:14 [CC 465(6)]**
- As overt act of treason, **3:1 [CC 46(4)]**
 - evidence, **3:12 [CC 55]**
 - indictment, **27:77 [CC 601(9)]**
- Jurisdiction in certain offences, **19:2 [CC 469]**
 - absolute, **25:2 [CC 553(6)]**
- Order for particulars, **27:43 [CC 587(1)(d)]**
- Particular conspiracies
 - commit high treason, **3:1, 3:3 [CC 46(2)(c), (e), 47(2)(a)]**
 - commit indictable offence, **18:8 [CC 465(1)(c)]**
 - commit murder, **18:8 [CC 465(1)(a)]**
 - commit offence inside Canada, **18:12 to 18:14 [CC 465(4) to (6)]**
 - commit offence outside Canada, **2:16, 18:11, 18:8, 18:13, 18:14 [CC 7(2)(e), 465(3), (2.1),**

CONSPIRACY—Cont'd

- Particular conspiracies—Cont'd
 - (2.2), (5), (6)]
 - commit summary conviction offence, **18:8** [CC **465(1)(d)**]
 - contravene Act of Parliament or regulation, **27:19** [CC **579.1**]
 - innocent person prosecuted, **18:8** [CC **465(1)(b)**]
 - nuclear materials, **2:16** [CC **7(3.3) to (3.5)**]
 - overthrow government, **3:1, 3:3** [CC **46(2)(c), 47(2)(a)**]
 - prevent union membership, **13:111** [CC **425**]
 - prosecute innocent person, **18:8** [CC **465(1)(b)**]
 - restrain trade, **18:21, 18:22** [CC **466, 467**]
 - seditious conspiracy, **3:18** [CC **59(3)**]
 - reasonable conspiracy, **3:1, 3:3** [CC **46(2)(c), (e), (4), 47(2)(b), (c)**]

CONTEMPT

- See also DISOBEDIENCE
- Appeal from conviction or sentence, **2:26** [CC **10**]
- Jurisdiction, **2:23** [CC **9**]
- Particular contempts
 - disobeying order of court, **6:31** [CC **127(1)**]
 - failure to attend court, **31:23** [CC **708(1)**]
 - non-compliance with order to release exhibit, **27:88** [CC **605(2)**]
 - preservation of order in court, **20:2, 20:8** [CC **484, 486(1), (1.1)**]
 - punishment, **31:22** [CC **708**]

CONTEMPT—Cont'd

- Particular contempts—Cont'd
 - witness, **23:72, 31:22** [CC **545, 708(1)**]
 - Young offenders, **42:18** [YCJA **15**]

CONTRACT

- Criminal breach, **13:99** [CC **422(1)**]

CONTRADICTORY EVIDENCE

- Generally, **6:60** [CC **136**]

CONTROLLED DRUGS AND SUBSTANCES ACT

- Admissibility of certificate, **44:91** [CDA **50(1), (2)**]
- Admissibility of certificate of analyst, **34:69, 44:92** [CC **729, CDA 51(1)**]
- in proceedings for breach of probation condition, **34:69** [CC **729(2)**]
- Admissibility of certified documents, **34:69, 44:90** [CC **729, CDA 49(1)**]
- authentication, **44:90** [CDA **49(2)**]
- evidence inadmissible, **44:90** [CDA **49(3)**]
- Analysis
 - designation, **44:74** [CDA **44**]
 - report, **44:76, 44:93** [CDA **45(2), 52(1), (2)**]
 - submission for, **44:76** [CDA **45(1)**]
- Analyst
 - attendance of, **44:92** [CDA **51(2)**]
 - certificate of, **44:92, 44:93** [CDA **51(1), 52**]
 - designation of, **44:74** [CDA **44**]

**CONTROLLED DRUGS AND
SUBSTANCES ACT**

—Cont'd

- Authentication of certified documents, **44:90 [CDA 49(2)]**
- Burden of proving exception etc., **44:89 [CDA 48]**
- Certificate issued pursuant to regulations, admissibility of, **44:91 [CDA 50(1), (2)]**
- Compliance with terms and conditions, **44:84 [CDA 46.2]**
- Continuity of possession, **44:94 [CDA 53(1)]**
 - alternative method of proof, **44:94 [CDA 53(2)]**
- Contravention of designated regulation, **44:63, 44:64 [CDA 33, 34]**
 - determination by adjudicator, **44:71 [CDA 41(1), (2)]**
 - hearing by adjudicator, **44:66, 44:70 [CDA 36(1), (2), (3), (4), 40]**
 - interim order, **44:65, 44:72 [CDA 35(1), (2), 42(1), (2)(b)]**
 - Ministerial orders, **44:71, 44:72 [CDA 41(3), (4), 42(1), (2)(a), (3), (4)]**
 - notice to appear, **44:64, 44:65, 44:67 [CDA 34, 35(2), 37]**
 - offence for contravention of order, **44:73 [CDA 43]**
 - powers of adjudicator, **44:69 [CDA 39]**
 - proof of service, **44:68 [CDA 38]**
- Copies of certified documents, **44:90 [CDA 49(1), (2)]**
- Copies of records, books or documents, **44:95 [CDA 54]**

**CONTROLLED DRUGS AND
SUBSTANCES ACT**

—Cont'd

- Deceptive statements, offence for making, **44:83 [CDA 46.1]**
- Deeming, **44:11 [CDA 4.1(5)]**
- Defined, **44:11 [CDA 4.1(1)]**
- Definitions, **44:4 [CDA 2(1)]**
- Designated regulation, see contravention of designated regulation
- Destruction of plant, **44:58 [CDA 29]**
- Disposal by Minister where no application, **44:54 [CDA 25]**
- Disposal following proceedings, **44:56 [CDA 27]**
- Disposal of controlled substances upon application
 - application for return of substance, **44:53 [CDA 24(1)]**
 - order to return substance, **44:53 [CDA 24(2), (3), (4)]**
 - payment compensation in lieu, **44:53 [CDA 24(5)]**
 - security, health or safety hazard, **44:55 [CDA 26]**
- Disposal with consent, **44:57 [CDA 28]**
- Evidence inadmissible, **44:90 [CDA 49(3)]**
- Exemption, **44:98 to 44:100 [CDA 56 to 56.2]**
- Exemptions
 - evidence, **44:11 [CDA 4.1(4)]**
 - medical emergency, **44:11 [CDA 4.1(2)]**
 - persons at the scene, **44:11 [CDA 4.1(3)]**
- Exporting, **44:17 [CDA 6(1)]**
 - punishment, **44:18, 44:24**

CONTROLLED DRUGS AND SUBSTANCES ACT

—Cont'd

Exporting, **44:17** [CDA 6(1)]

—Cont'd

[CDA 6(3), 10(5)]

False or deceptive statements,
offence for making, **44:83**
[CDA 46.1]

to inspector, **44:62** [CDA
32(2)]

Forfeiture of offence-related
property

declaring interest not affected
by forfeiture, **44:49**,
44:51 [CDA 20, 22]

dwelling house, **44:47** [CDA
19.1]

in rem forfeiture, application
for, **44:44**, **44:46**, **44:47**,
44:50, **44:51** [CDA
17(1), (2), (3), 19, 19.1,
21, 22]

order of forfeiture on convic-
tions, **44:41**, **44:46**,
44:47, **44:51** [CDA
16(1), (2), (2.1), (3), 19,
19.1, 22]

property outside Canada,
44:41, **44:44** [CDA
16(2.1), 17(5)]

Importing, **44:17** [CDA 6(1)]
punishment, **44:16**, **44:24**
[CDA 6(3), 10(5)]

Importing anything knowing it
will be used to produce
ecstasy or
methamphetamine, **44:21**
[CDA 7.1(1)]

punishment, **44:21** [CDA
7.1(2)]

Importing anything knowing it
will be used to traffic in
ecstasy or

CONTROLLED DRUGS AND SUBSTANCES ACT

—Cont'd

methamphetamine, **44:21**
[CDA 7.1(1)]

punishment, **44:21** [CDA
7.1(2)]

Importing designated device,
44:85 [CDA 46.3]

punishment, **44:21** [CDA
7.1(2)]

Inspectors

assistance to, **44:61** [CDA
31(5)]

authority to issue warrant,
44:61 [CDA 31(3)]

designation, **44:60** [CDA
30(1), (2)]

false statements to, **44:62**
[CDA 32(2)]

interference, **44:62** [CDA
32(3)]

notice of seizure, **44:61** [CDA
31(7)]

obstructing, **44:62** [CDA
32(1)]

powers, **44:61** [CDA 31(1) to
(1.2)]

return by, **44:61** [CDA 31(8)]

return or disposal by Minister,
44:61 [CDA 31(9)]

storage of substances seized,
44:61 [CDA 31(6)]

use of force, **44:61** [CDA
31(4)]

warrant required to enter
dwelling-house, **44:61**
[CDA 31(2)]

Limitation period, **44:88** [CDA
47(1)]

Management order

appointment of Minister to
manage, **44:38** [CDA
14.1(2)]

CONTROLLED DRUGS AND SUBSTANCES ACT

—Cont'd

- Management order—Cont'd
 - destruction of property pursuant to, **44:38** [CDA **14.1(4) to (7)**]
 - duration of, **44:38** [CDA **14.1(8)**]
 - power of court, **44:38** [CDA **14.1(1), (7)**]
 - power to manage, **44:38** [CDA **14.1(1), (3) to (4)**]
 - variation of, **44:38** [CDA **14.1(9)**]
- Mandatory minimum punishments
 - drug treatment program exception, **44:24** [CDA **10(4) to (5)**]
 - exporting, **44:16** [CDA **6(3)(a)**]
 - importing, **44:16** [CDA **6(3)(a)**]
 - possession for purpose of exporting, **44:16, 44:24, 44:5** [CDA **6(2), 10(5), (3)(a), 3(a.1)**]
 - production, **44:19** [CDA **7(2)(a) to (b), 7(3)**]
 - review and report to Parliament, **44:23** [CDA **9**]
 - trafficking, **44:12** [CDA **5(3)(a)**]
- Medical emergency
 - deeming, **44:11** [CDA **4.1(5)**]
 - defined, **44:11** [CDA **4.1(1)**]
 - diversion measures, evidence-based, **44:26.10 to 44:26.70** [CDA **10.1 to 10.7**]
 - exemptions
 - evidence, **44:11** [CDA **4.1(4)**]

CONTROLLED DRUGS AND SUBSTANCES ACT

—Cont'd

- Medical emergency—Cont'd
 - exemptions—Cont'd
 - medical emergency, **44:11** [CDA **4.1(2)**]
 - persons at the scene, **44:11** [CDA **4.1(3)**]
- Medical purpose, exemption for, **44:99, 44:100** [CDA **56.1, 56.2**]
- Ministerial orders
 - generally, **44:77 to 44:81** [CDA **45.1 to 45.5**]
 - information, provision of, **44:77** [CDA **45.1**]
 - measures, **44:78** [CDA **45.2**]
 - review, **44:79, 44:80** [CDA **45.3, 45.4**]
- Statutory Instruments Act, **44:81** [CDA **45.5**]
- Notice, proof of, **44:93** [CDA **52(1), (2)**]
- Obtaining substance, **44:6** [CDA **4(2)**]
- punishment, **44:6** [CDA **4(7)**]
- Paramountcy of Act, **44:102** [CDA **58**]
- Penalty, **44:82** [CDA **46**]
- Possession, continuity of, **44:94** [CDA **53(1)**]
- alternative method of proof, **44:94** [CDA **53(2)**]
- Possession for purpose of exporting, **44:16** [CDA **6(2)**]
- punishment, **44:16, 44:24** [CDA **6(3), 10(5)**]
- Possession for purpose of trafficking, **44:12** [CDA **5(2)**]
- punishment, **44:12, 44:24** [CDA **5(3) to (5), 10(5)**]
- Possession of anything knowing it will be used to produce

CONTROLLED DRUGS AND SUBSTANCES ACT

—Cont'd

- ecstasy or methamphetamine, **44:21** [CDA 7.1(1)]
- punishment, **44:21** [CDA 7.1(2)]
- Possession of anything knowing it will be used to traffic in ecstasy or methamphetamine, **44:21** [CDA 7.1(1)]
- punishment, **44:21** [CDA 7.1(2)]
- Possession of substance, **44:6** [CDA 4(1)]
 - determination of amount, **44:6** [CDA 4(8)]
 - punishment, **44:6** [CDA 4(3) to (6)]
- Powers, duties, functions of Minister or Minister of Public Safety and Emergency Preparedness, **44:101** [CDA 57]
- Production of anything knowing it will be used to produce ecstasy or methamphetamine, **44:21** [CDA 7.1(1)]
- punishment, **44:21** [CDA 7.1(2)]
- Production of anything knowing it will be used to traffic in ecstasy or methamphetamine, **44:21** [CDA 7.1(1)]
- punishment, **44:21** [CDA 7.1(2)]
- Production of substance
 - punishment, **44:19, 44:24** [CDA 7(2), (3), 10(5)]
- Regulation, designated
 - see contravention of designated regulation

CONTROLLED DRUGS AND SUBSTANCES ACT

—Cont'd

- Regulations, **44:92** [CDA 51(1)]
- paramouncy of, **44:102** [CDA 58]
- pertaining of law enforcement, **44:97** [CDA 55(2) to (2.1)]
- Restraint order, **44:37** [CDA 14]
 - application for, **44:37** [CDA 14(1)]
 - application of ss. 489.1 and 490, **44:39** [CDA 15(1)]
 - conditions, **44:37** [CDA 14(5)]
 - content of order, **44:37** [CDA 14(3)]
 - failure to comply, **44:37** [CDA 14(10)]
 - management order pending restraint, **44:38** [CDA 14.1]
 - order continues in force, **44:37** [CDA 14(9)]
 - procedure, **44:37** [CDA 14(2)]
 - property outside Canada, **44:37** [CDA 14(4)]
 - recognizance, **44:39** [CDA 15(2)]
 - registration of order, **44:37** [CDA 14(8)]
 - service of order, **44:37** [CDA 14(7)]
- Sale of anything knowing it will be used to produce ecstasy or methamphetamine, **44:21** [CDA 7.1(1)]
- punishment, **44:21** [CDA 7.1(2)]
- Sale of anything knowing it will be used to traffic in ecstasy

CONTROLLED DRUGS AND SUBSTANCES ACT

- Cont'd
 - or methamphetamine, **44:21** [CDA 7.1(1)]
 - punishment, **44:21** [CDA 7.1(2)]
- Schedules, **44:104, 44:112 to 44:119** [CDA 60, sch. I to VIII]
- Search warrant
 - application of s. 487.1, **44:29** [CDA 11(2)]
 - application of ss. 489.1 and 490, **44:36** [CDA 13]
 - assistance, **44:33** [CDA 12]
 - execution in another province, **44:30** [CDA 11(3)]
 - information for, **44:28** [CDA 11(1)]
 - recognizance, **44:36** [CDA 13(6)]
 - report to justice, **44:36** [CDA 13(4), (5)]
 - sealing order for information to obtain, **20:115** [CC 487.3]
 - search of person and seizure, **44:32** [CDA 11(5)]
 - seizure of additional things, **44:27** [CDA 11(8)]
 - seizure of things not specified, **44:27** [CDA 11(6)]
 - use of force, **44:33** [CDA 12]
 - where warrant not necessary, **44:27** [CDA 11(7)]
- Sentencing
 - delay for treatment, **44:24** [CDA 10(4)]
 - factors to be considered, **44:26** [CDA 10(2)]
 - minimum punishment, **44:23, 44:24** [CDA 9, 10(4) to (5)]
 - see also mandatory mini-

CONTROLLED DRUGS AND SUBSTANCES ACT

- Cont'd
- Sentencing—Cont'd
 - minimum punishment, **44:23, 44:24** [CDA 9, 10(4) to (5)]—Cont'd
 - mum, punishments
 - purpose of, **44:25** [CDA 10(1)]
 - reasons, duty to provide, **44:24** [CDA 10(3)]
- Trafficking in substance, **44:12, 44:24** [CDA 5(3) to (6), 10(5)]
 - punishment, **44:12, 44:24** [CDA 5(3) to (6), 10(5)]
- Transfers, voidable, **44:45** [CDA 18]
- Transitional provisions, **44:106 to 44:108** [CDA 61 to 63]
- Validation of prior authorizations, **44:108** [CDA 63]
- Venue, **44:87** [CDA 47(2)]

CONVERSION

- See also THEFT
- As theft, **12:4** [CC 322(1)]
- By trustee, **12:65** [CC 336]
- Theft by, **12:48 to 12:53** [CC 330 to 332]

CONVERSION THERAPY

- Advertising, offence of, **10:417** [CC 320.103]
- Causing, offence of, **10:416** [CC 320.102]
- Defined, **10:415** [CC 320.101]
- Material benefit from, offence of receiving, **10:418** [CC 320.104]
- Promoting, offence of, **44:417** [CC 320.103]

CONVEYANCES, OFFENCES INVOLVING

- See DRIVING OFFENCES

CONVICTION

See also APPEALS (INDICTABLE OFFENCES), APPEALS (SUMMARY CONVICTION), PREVIOUS CONVICTIONS

Certiorari to quash, **37:10, 37:13** [CC 776 to 777]

Evidence of conviction
admissibility, **27:261, 27:262** [CC 665, 666]

manner of proof, **25:50, 27:268, 40:48** [CC 570(4), (6), 667, CEA 12]

Memorandum of conviction, **38:54** [CC 806]

Record of conviction, **25:51, 27:120, 38:54** [CC 570(1), 624(1), 806]

Subsequent conviction pardon not affecting punishment, **34:196** [CC 748(4)]

CORONER

Inquest no trial, **27:5** [CC 576(3)]

Misconduct, **6:33** [CC 128]

CORPORATION

Appearance, **23:29, 25:15, 27:115, 38:28** [CC 538, 556, 620, 800(3)]
default, **25:15, 27:117, 27:118, 38:28** [CC 556(2), 622, 623, 800(3)]

“Corporation” defined, **40:93** [CEA 31(1),]

Criminal responsibility
duty of persons directing work, **10:12** [CC 217.1]
negligence offences, **2:77** [CC 22.1]
other offences, **2:78** [CC 22.2]

CORPORATION—Cont’d

Enforcement of judgment, **34:113** [CC 735]

False prospectus, **13:61** [CC 400(1)]

Greater punishment where previous conviction, **34:66** [CC 727(4)]

Notice of indictment, **27:116** [CC 621]

Party liability
negligence offences, **2:77** [CC 22.1]

other offences, **2:77** [CC 22.1]

Punishment, **34:33, 34:85, 34:113** [CC 718.21, 732.1(3.1), 735]

Records
photograph as evidence, **40:93** [CEA 31]

“Representative,” defined, **1:3** [CC 2]

“Representative” defined, **1:3** [CC 2]

Request for preliminary inquiry
failure to request, **25:15** [CC 556(3), (4)]

“Senior officer,” defined, **1:3** [CC 2]

“Senior officer” defined, **1:3** [CC 2]

Sentencing
fines, **34:113** [CC 735]
general considerations, **34:33** [CC 718.21]
probation conditions, **34:85** [CC 732.1(3.1), (3.2)]

Trial and conviction, **27:118** [CC 623]

CORRECTIONS AND CONDITIONAL RELEASE

Generally, **1:3, 2:93, 3:33, 6:101, 34:151, 34:161, 34:194, 35:35** [CC 2, 25(5),

**CORRECTIONS AND
CONDITIONAL RELEASE**

—Cont'd
67, 149(2), 743.1(6), 743.5,
746.1, 761]

CORROBORATION

Age of child, 27:246 [CC
658(2)]
Children's evidence, 27:248 [CC
659]
Feigned marriage, 10:358 [CC
292(2)]
Not required (sexual offences),
10:277 [CC 274]
Perjury, 6:53 [CC 133]
Treason and high treason, 3:3
[CC 47(3)]

CORRUPTING MORALS

See also CRIME COMIC,
OBSCENITY
Defence of public good, 7:45,
7:47 [CC 163(3), (4)]
Obscene material, 7:43, 7:51
[CC 163(1), (8)]
Offences, 7:43, 7:44 [CC
163(1), (2)]
Undue exploitation of sex, 7:51
[CC 163(8)]

CORRUPTION

See also BRIBERY
Corrupting
agent or employee, 13:115
[CC 426]
child, 7:81 [CC 172]
government official, 6:11,
34:197, 34:201 [CC 121,
748, 750]
judicial officer, 6:4 [CC 119]
juror, 6:30 [CC 127(3)]
municipal official, 6:23 [CC
123]

CORRUPTION—Cont'd

Corrupting—Cont'd
peace officer, etc., 6:6, 6:33
[CC 120, 128]
witness, 6:70 [CC 139(3)]
Influence appointment, 6:26 [CC
125]
Reward or immunity
receiving, 6:77 [CC 142]
Secret commission, 13:115 [CC
426]
Selling or purchasing office,
6:25 [CC 124]
dealer in offices, 6:26 [CC
125]
disability on conviction,
34:200 [CC 750(3), (4)]
Taking reward for
recovery of goods, 6:77 [CC
142]

COSTS

Adjournment, 27:82 [CC
601(5)]
Certificate of non-payment,
38:120 [CC 827(2)]
Part payment, 34:112 [CC
734.8]
Proceedings by indictment no
costs on appeal, 29:45 [CC
683(3)]
Remission, 34:200 [CC 750(2)]
Summary conviction appeal,
38:118, 38:120 [CC 826,
827]
court of appeal, 38:138 [CC
839(3)]
Summary proceedings, 38:47,
38:59 [CC 803(4), 809]
Writ of fieri facias, 36:18 [CC
772(2)]

COUNSEL

Address by counsel, 23:14,
27:211 [CC 537(1)(h), 651]

COUNSEL—Cont'd

Appearance for accused, **25:15, 27:115, 27:205, 27:208, 38:28** [CC 556, 620, 650.01, 650.02, 800]

organizational accused, **25:15, 27:115, 38:28** [CC 556, 620, 800]

Assignment of counsel

appeal, **29:53, 29:121, 38:137** [CC 684, 694.1, 839(2)]

unfit accused, **28:20** [CC 672.24]

Authority in absence of accused, **19:11, 23:70, 27:205** [CC 475(4), 544(4), 650.01]

“Counsel,” **1:3** [CC 2]

Designated counsel of record designation, **27:205** [CC 650.01(1), (2)]

service of summons to accused on, **27:205** [CC 650.01(4)(a)]

technological appearance by, **27:208** [CC 650.02]

Legal assistance on appeal, **29:53, 29:121, 38:137** [CC 684, 694.1, 839(2)]

Right to counsel, **41:57** [CA 10(b)]

investigative hearing, at, **4:37** [CC 83.28(11)]

Summary proceedings, **38:28, 38:40** [CC 800, 802]

Young person

advising of right to counsel, **42:29** [YCJA 25(2), (3)]

appointment of counsel, **42:29** [YCJA 25(5), (11)]

arresting officer, **42:29** [YCJA 25(2)]

assistance by adult, **42:29** [YCJA 25(7), (11)]

costs, recovery of, **42:29** [YCJA 25(10)]

COUNSEL—Cont'd

Young person—Cont'd

counsel independent of parents, **42:29** [YCJA 25(8), (11)]

exceptions to statutory requirements, age-based, **42:29** [YCJA 25(11)]

justice, youth justice court or review board, **42:29** [YCJA 25(3)]

release hearing before justice, **42:29, 42:106** [YCJA 25(6), 88]

right to retain counsel, **42:30** [YCJA 25(1)]

statement of right to counsel, **42:29** [YCJA 25(9), (11)]

where unable to retain counsel, **42:29** [YCJA 25(4), (11)]

COUNSELLING

See also PARTY TO OFFENCE

Definition, **2:75** [CC 22(3)]

Offence committed, **2:76, 2:75** [CC 22(1), (2)]

Offence not committed, **18:6** [CC 464]

Particular offences

contravene Act of Parliament or regulation, **27:19** [CC 579.1]

sexual touching, **7:13** [CC 152]

suicide, **10:101** [CC 241]

Principal not convicted, **2:84** [CC 23.1]

COUNTERFEITING

See also CURRENCY

OFFENCES, FORGERY

Certificate of examiner, **15:29** [CC 461(2), (3), (4)]

COUNTERFEITING—Cont'd

- Completion of counterfeit, **15:29**
[CC 461(1)]
- “Counterfeit money,” **15:1** [CC 448]
- Government mark, **12:211** [CC 376(2)]
- “mark,” **12:211** [CC 376(3)]
- Government seal, **12:200** [CC 369(c)]
- Instruments for counterfeiting
 - making, possessing, dealing,
12:200, 12:211, 15:23,
15:26 [CC 369(b),
376(1), 458, 459]
- Making counterfeit money, **15:4**
[CC 449]
- uttering, **15:10** [CC 452]
- Stamp, **12:212** [CC 376(1)]
- “stamp,” **12:211** [CC 376(3)]

COUNTS

- See INDICTMENT (FORM
AND SUBSTANCE)

COURT

- See also SUMMARY CONVIC-
TION PROCEEDINGS
- “Court”
 - application for preventive
detention, **35:1** [CC 752]
 - imposition of punishment,
34:2 [CC 716]
- “Court of appeal”
 - defined, **1:3, 29:1** [CC 2, 673]
 - general powers on appeal,
29:42, 38:137 [CC 683,
839(2)]
 - power to make rules, **19:36,**
19:37 [CC 482(1), 482.1]
- “Court of competent jurisdic-
tion,” **41:92** [CA 24(1)]
- “Court of criminal jurisdiction”
 - defined, **1:3** [CC 2]

COURT—Cont'd

- “Court of criminal jurisdiction”
 - Cont'd
 - jurisdiction over offences,
19:2 [CC 469]
 - power to make rules, **19:35**
[CC 482(2)]
- Judge as court of record, **25:21**
[CC 559(1)]
- “Provincial court judge”
 - absolute jurisdiction, **25:2**
[CC 553]
 - defined, **1:3** [CC 2]
- Rules of court, **19:35, 19:37,**
34:190 [CC 482, 482.1,
745.64]
 - case management, **19:37** [CC
482.1]
 - review of parole ineligibility,
34:190 [CC 745.64]
- “Superior court of criminal juris-
diction”
 - defined, **1:3** [CC 2]
 - jurisdiction over offences,
19:1 [CC 468]
 - power to make rules, **19:36,**
19:37, 19:37 [CC 482(1),
482.1, (2)]
- “Trial court,” **29:1** [CC 673]
- “Youth justice court,” **42:3**
[YCJA 2(1)]
 - as court of record, **42:16**
[YCJA 13(4)]

COURT ORDER

- See CONTEMPT, DISOBEDI-
ENCE

CREDIT AND CREDITORS

- See also CRIMINAL INTER-
EST RATE
- Disposal of property to defraud
creditors, **13:46** [CC 392]
- False financial statement, **12:169**
[CC 362(1)(c), (d)]
 - punishment, **12:172** [CC
362(3)]

CREDIT AND CREDITORS

—Cont'd

- False prospectus or statement,
13:60 [CC 400]
- Falsifying books to defraud creditors, 13:55 [CC 397(2)]
- Obtaining credit by false pretence or fraud, 12:169 [CC 362(1)(b)]
- punishment, 12:172 [CC 362(3)]

CREDIT CARD

- Defined, 12:1 [CC 321]
- Evidence at jury trial, 27:239 [CC 657.1(2)(c.1)]
- Offences
 - forgery, 12:76 [CC 342(1)(b)]
 - instruments for forging or falsifying credit cards, 12:78 [CC 342.01]
 - possession of card obtained by crime, 12:76 [CC 342(1)(c)]
 - theft, 12:76 [CC 342(1)(a)]
 - unauthorized use of credit card data, 12:76 [CC 342(3), (4)]
 - use of revoked or cancelled card, 12:76 [CC 342(1)(d)]
- Trial jurisdiction, 12:76 [CC 342(2)]

CRIME AGAINST HUMANITY

- Special pleas, 27:98 [CC 607(6)]
- Superior court jurisdiction, 19:2 [CC 469(c.1)]

CRIME COMIC

- See also OBSCENITY
- Appeal from forfeiture or restoration, 7:61 [CC 164(6)]
- Forfeiture, 7:61 [CC 164(3), (4)]
- Publishing, 7:42 [CC 163(1)(c)]

CRIME COMIC—Cont'd

- Restoration after seizure, 7:61 [CC 164(5)]
- Seizure, 7:62 [CC 164(1)]
- Summons, 7:63 [CC 164(2)]

CRIMINAL BREACH OF CONTRACT

- Offence, 13:99 [CC 422(1)]

CRIMINAL HARASSMENT

- Murder committed being first degree, 10:67 [CC 231(6)]
- Offence, 10:221 [CC 264(1)]
- Prohibited conduct, 10:222 [CC 264(2)]
- Punishment, 10:223 [CC 264(3)]
- aggravating factors, 10:224, 10:225 [CC 264(4), (5)]

CRIMINAL INTEREST RATE

- Generally, 12:97 [CC 347]
- Payday loan, 12:99 [CC 347.1]

CRIMINAL NEGLIGENCE

- Causing bodily harm, 10:30 [CC 221]
- Causing death, 10:23 [CC 220]
- where firearm used, 10:23 [CC 220(a)]
- Criminal negligence defined, 10:16 [CC 219]
- Dangerous driving as included offence, 27:253 [CC 662(5)]
- Duty of persons directing work, 10:12 [CC 217.1]
- Flight causing bodily harm or death as included offence, 27:253 [CC 662(5)]
- Organizational liability for, 2:77, 10:12 [CC 22.1, 217.1]

CRIMINAL ORGANIZATION

- Commission of offence for bail, 21:75 [CC 515(6)(a)(ii)]

CRIMINAL ORGANIZATION

- Cont’d
- Commission of offence for
 - Cont’d
 - “commission of offence,”
18:23 [CC 467.1(3)]
 - disclosure of income tax information for investigation of, 17:36 [CC 462.48(1.1)]
 - instructing, 18:30 [CC 467.13]
 - offence, 18:28 [CC 467.12(1)]
 - parole, power of court to delay, 34:162 [CC 743.6(1.2)]
 - proof, Crown burden, 18:29 [CC 467.12(2)]
 - sentence to be served consecutively, 18:31 [CC 467.14]
- Defined, 18:24 [CC 467.1(1)]
- Disclosure of income tax information, 17:36 [CC 462.48(1.1)]
- Electronic surveillance
 - see generally, Interception of Private Communications
 - authorization, 8:20, 8:26 [CC 185(1.1), 186(1.1)]
 - eligible offences, 8:1 [CC 183]
 - subject notification period, extended, 8:63 [CC 196(5)]
- Fear of criminal organization offence, 38:67, 42:17, 42:23 [CC 810.01, YCJA 14(2), 20(2)]
 - adjudication, 38:67 [CC 810.01(3)]
 - appearances, 38:67 [CC 810.01(2)]
 - conditions, firearms, 38:67 [CC 810.01(5)]

CRIMINAL ORGANIZATION

- Cont’d
- Fear of criminal organization offence, 38:67, 42:17, 42:23 [CC 810.01, YCJA 14(2), 20(2)]—Cont’d
 - refusal to enter recognizance, 38:67 [CC 810.01(4)]
 - variance of conditions, 38:67 [CC 810.01(6)]
 - young person, order against, 42:17, 42:23 [YCJA 14(2), 20(2)]
- Forfeiture of offence-related property, 20:178, 20:180 [CC 490.1, 490.2]
 - see also forfeiture (offence to related property)
- Instructing commission of offence for
 - bail, 21:75 [CC 515(6)(a)(ii)]
 - “commission of offence,”
18:23 [CC 467.1(3)]
 - disclosure of income tax information for investigation of, 17:36 [CC 462.48(1.1)]
 - offence, 18:30 [CC 467.13(1)]
 - parole, power of court to delay, 34:162 [CC 743.6(1.2)]
 - proof, Crown burden, 18:30 [CC 467.13(2)]
 - prosecutorial jurisdiction, 18:32 [CC 467.2]
 - sentence to be served consecutively, 18:31 [CC 467.14]
- Parole, power of court to delay for offence, 34:162 [CC 743.6(1.1) to (1.2)]
- Participation in activities of
 - bail, 21:75 [CC 515(6)(a)(ii)]
 - “commission of offence,”
18:23 [CC 467.1(3)]

CRIMINAL ORGANIZATION

—Cont'd

Participation in activities of

—Cont'd

criteria/factors of

“participation”/

“contribution,” **18:25**

[**CC 467.11(3)**]

disclosure of income tax infor-

mation for investigation

of, **17:36** [**CC**

462.48(1.1)]

“facilitation,” **18:23** [**CC**

467.1(2)]

offence, **18:25** [**CC 467.11(1)**]

parole, power of court to

delay, **34:162** [**CC**

743.6(1.2)]

proof, Crown burden, **18:25**

[**CC 467.11(2)**]

sentence to be served

consecutively, **18:31** [**CC**

467.14]

Recruitment of members by

bail, reverse onus, **21:75** [**CC**

515(6)(a)(ii)]

disclosure of income tax infor-

mation for investigation

of, **17:36** [**CC**

462.48(1.1)]

“facilitation,” **18:23** [**CC**

467.1(2)]

offence, **18:26** [**CC 467.111**]

parole, power of court to

delay, **34:162** [**CC**

743.6(1.2)]

primary designated offence,

20:77 [**CC 487.04**]

sentence to be served

consecutively, **18:31** [**CC**

467.14]

testimonial aids available,

20:16 [**CC 486.2**]

CRIMINAL ORGANIZATION

—Cont'd

Sentences to be served

consecutively, **18:31** [**CC**

467.14]

Using explosives in association

with

murder deemed first degree,

10:67 [**CC 231(6.1)**]

Witness protection in cases

involving

exclusion of public, **20:8** [**CC**

486]

limits on cross-examination by

accused, **20:17** [**CC**

486.3(2) to (5)]

obstructed view testimony,

20:16 [**CC 486.2(4) to**

(6)]

publication ban, **20:22** [**CC**

486.5]

recognizance, **38:67** [**CC**

810.01]

testimony outside courtroom,

20:16 [**CC 486.2(4) to**

(6)]

CRIMINAL RECORDS

See PARDON, PREVIOUS

CONVICTIONS, RECORD

SUSPENSION, YOUTH

CRIMINAL JUSTICE

CRIMINAL RESPONSIBILITY

See also MENTAL DISORDER

Child

under 12 years, **2:34** [**CC 13**]

Effect of consent to infliction of

death, **2:36** [**CC 14**]

Mental disorder, **1:3**, **2:40** [**CC**

2, **16**]

Obedience to de facto law, **2:38**

[**CC 15**]

Organization

“every one” including organi-

zation, **1:3** [**CC 2**]

CRIMINAL RESPONSIBILITY

—Cont'd

- Where one party cannot be convicted, **2:84** [CC 23.1]
- Young persons, **42:5** [YCJA 3(1)]

CROSS-EXAMINATION

- Adverse witness, **40:34** [CEA 9]
- Business record
 - making or contents, **40:90** [CEA 30(9)]
- Certificate of fingerprint examiner, **27:268** [CC 667(3)]
- Certificate of previous conviction, **27:268** [CC 667(3)]
- Previous inconsistent statement, **40:34 to 40:45** [CEA 9 to 11]
- Proof of service of any document, **2:9** [CC 4(7)]
- Qualified medical practitioner, analyst or qualified technician, **10:195** [CC 258(6)]

CRUEL AND UNUSUAL TREATMENT OR PUNISHMENT

- Generally, **41:73** [CA 12]

CULTURAL PROPERTY

- Generally, **2:16** [CC 7(2.01), (2.02)]
- Mischief, **14:5** [CC 430(4.2)]

CURRENCY OFFENCES

- See also COUNTERFEITING
- Advertising counterfeit money or tokens, **15:27** [CC 460(1)(a)]
- Buying counterfeit money, **15:5** [CC 450]
- Certificate of examiner of counterfeit, **15:29** [CC 461(2), (3), (4)]

CURRENCY OFFENCES

—Cont'd

- Clipping and uttering clipped coin, **15:17** [CC 455]
 - Completion of counterfeiting, **15:29** [CC 461(1)]
 - Conveying coining instruments out of mint, **15:26** [CC 459(a)]
 - Currency exchange device, possession of instruments for breaking in, **12:130** [CC 352]
 - Dealing with counterfeiting instruments, **15:23** [CC 458]
 - Defacing or uttering defaced coin, **15:18** [CC 456]
 - Forfeiture of counterfeit money and equipment, **23:44** [CC 542]
 - Making counterfeit money, **15:4** [CC 449]
 - Possession of clippings, **15:9** [CC 451]
 - Possession of counterfeit money, **15:5** [CC 450]
 - Printing or using likeness of bank notes, etc., **15:20** [CC 457]
 - Seizure of counterfeit money and equipment, **15:30** [CC 462(2)]
 - Slug or counterfeit token, **15:14** [CC 454]
 - Uttering counterfeit money, **15:10** [CC 452]
- ## DAMAGE TO PROPERTY
- See also MISCHIEF
 - Aircraft, **3:47** [CC 77]
 - Breach of contract likely to cause, **13:98** [CC 422]
 - Cargo, etc. of ship, **3:45** [CC 75(b)]

DAMAGE TO PROPERTY

—Cont'd

- Defence to wilful damage, **14:4**
[CC 429(2)]
- Explosion causing damage, **3:53**,
3:54 [CC 80(b), 81]
- Mischief, **14:5** [CC 430]
 - defence, **14:4** [CC 429(2)]
- Occupant injuring building,
14:53 [CC 441]
- Order for compensation, **34:59**
[CC 725]
- Owner causing damage, **14:2**
[CC 429(3)]
- Sabotage, **3:12** [CC 55]
 - evidence of overt acts, **3:12**,
27:21 [CC 55, 581(4)]
- Sureties to keep peace, **38:61**,
38:81, **42:17**, **42:23** [CC
810, **811**, YCJA 14(2),
20(2)]
- Threatening, **13:102** [CC
423(1)]

DANGEROUS DRIVING

See DANGEROUS OPERA-
TION

DANGEROUS OFFENDERS

- Admissions at hearing, **35:24**
[CC 754(3)]
 - finding, **35:8** [CC 753]
- Appeal, **35:31** [CC 759]
- Application for finding, **35:8**
[CC 753]
 - hearing, **35:24**, **35:29** [CC
754, **758**]
 - presumption of dangerous-
ness, **35:8** [CC 753(1.1)]
- Application for new sentence or
order
 - assessment report, **35:13** [CC
753.01(3)]
 - new long-term supervision,
35:13, **35:26** [CC

DANGEROUS OFFENDERS

—Cont'd

- Application for new sentence or
order—Cont'd
 - 753.01(6)**, **755(2)**
 - remand for assessment, **35:13**
[CC 753.01(1) to (3)]
 - right to bring, **35:13** [CC
753.01(4)]
 - sentence of indeterminate
detention, **35:13** [CC
753.01(5)]
 - victim evidence, **35:14** [CC
753.02]
- Application for remand for
assessment, **35:7**, **35:13**
[CC 752.1(1), 753.01(1)]
 - after imposition of sentence,
35:12 [CC 753(3)]
 - exception re hearing require-
ments, **35:25** [CC
754(1)]
 - extension of time, **35:6**, **35:13**
[CC 752.1(3), 753.01(3)]
 - notice of intention to bring,
35:6, **35:11** [CC 752.1,
753(2)]
 - report, **35:6**, **35:13** [CC
752.1(2), **753.01(2)**]
 - upon post-finding conviction,
35:13 [CC 753.01]
- “Court,” **35:1** [CC 752]
- “Designated offence,” **35:1** [CC
752]
- Evidence of character, **35:28**
[CC 757]
- Loitering by, **7:119** [CC 179]
- “Long-term supervision,” **35:1**
[CC 752]
- Negative finding, **35:8** [CC
753(5)]
- Presumption of dangerousness,
35:8 [CC 753(1.1)]
- “Primary designated offence,”
35:1 [CC 752]

DANGEROUS OFFENDERS

—Cont'd

- Review for parole, **35:35** [CC **761**]
- Sentence, **35:8** [CC **753(4), (4.1), (4.2)**]
 where post-finding offence,
 35:13 [CC **753.01(4) to (6)**]
- “Serious personal injury offence,” **35:1** [CC **752**]
 information where fear of,
 38:73, 38:81 [CC **810.2(1) to (8), 811**]
- Transcripts to Correctional Service, **35:34** [CC **760**]
- Witnesses
 victim, **35:14** [CC **753.02**]

DANGEROUS OPERATION

- See also **DRIVING OFFENCES; MOTOR VEHICLES**
- Definitions
 “motor vehicle,” **1:3** [CC **2**]
 “railway equipment,” **1:3** [CC **2**]
- Manslaughter charged, where,
 27:253 [CC **662(5)**]
 general, **10:133, 10:137** [CC **249(2), 249.4**]

DANGEROUS SUBSTANCE

- See **EXPLOSIVES, DRUG, NOXIOUS THING, POISONING**

DANGER TO LIFE

- Generally, **10:9, 10:12** [CC **217, 217.1**]
- Impeding attempt to save life,
 10:217 [CC **262**]

DATA

- See also **COMPUTERS, MISCHIEF**

DATA—Cont'd

- Dealing with data in court, **39:2** [CC **842**]
- Defined, **14:13, 39:1, 40:103** [CC **430(8), 841, CEA 31.8**]
- Mischief, **12:76, 14:5** [CC **342(2), 430(1.1)**]
- Time of filing, **39:3** [CC **843(1)**]
- Transfer of data, **39:3** [CC **843(1)**]

DEAD BODY

- Concealing body of child, **10:111** [CC **243**]
- Failure to perform duty regarding burial, **7:126** [CC **182(a)**]
- Interfering with dead body,
 7:126 [CC **182(b)**]

DEALING IN PUBLIC OFFICE

- Offences, **6:25, 6:26** [CC **124, 125**]
 disability on conviction,
 34:196 [CC **748(3), (4)**]

DEATH

- See also **INFANTICIDE, MAN-SLAUGHTER, MURDER**
- Accelerating, **10:42** [CC **226**]
- Consent not affecting liability,
 2:36 [CC **14**]
- Criminal negligence causing,
 10:23 [CC **220**]
 duty of persons directing
 work, **10:12** [CC **217.1**]
 organizational liability for,
 2:77, 10:12 [CC **22.1, 217.1**]
- Failure to guard ice-hole or
 excavation, **10:218** [CC **263**]
- Influence on mind, **10:45** [CC **228**]

DEATH—Cont'd

- Interference with transportation facilities causing, **10:132 [CC 248]**
- Preventable death, **10:39 [CC 224]**
- Register of deaths
 - destroying or defacing, **12:213 [CC 377]**
 - falsifying entry, **12:215 [CC 378]**
- Suicide, **10:101 [CC 241]**
- Traps causing, **10:129 [CC 247(5)]**
- Treatment of injury causing, **10:40 [CC 225]**
- Uttering threats of death, **10:226 [CC 264.1(1)(a)]**
- Within a year and a day, **10:44 [CC 227]**
- Witness dying, **31:45 [CC 715]**

DECLARATION

See AFFIDAVIT

DEED

See DOCUMENT OF TITLE

DEFAMATORY LIBEL

- Definition of, **10:368 [CC 298]**
- Exceptions
 - answer to inquiry, **10:398 [CC 313]**
 - fair comment on public person or work of art, **10:393 [CC 310]**
 - fair report of parliamentary or judicial proceeding, **10:388 [CC 307]**
 - fair report of public meeting, **10:390 [CC 308]**
 - giving information to person interested, **10:400 [CC 314]**
 - judicial proceeding or inquiry, **10:383 [CC 305]**

DEFAMATORY LIBEL—Cont'd

- Exceptions—Cont'd
 - parliamentary papers, **10:388, 10:406 [CC 306, 316]**
 - publication for public benefit, **10:391, 10:395 [CC 309, 311]**
 - publication on invitation or in refutation, **10:397 [CC 312]**
 - publishing in good faith for redress of wrong, **10:402 [CC 315]**
 - selling book without knowledge, **10:384 [CC 304]**
 - selling newspaper without knowledge, **10:379 [CC 303(3)]**
- Extortion by libel, **10:378 [CC 302]**
- Indictment
 - sufficiency of counts, **27:38 [CC 584]**
- Inquiry into truth of words, **27:112 [CC 612(1)]**
- Jury trial
 - direction to stand by, **27:147 [CC 637]**
- “Newspaper,” **10:368 [CC 298]**
- Newspaper proprietor deemed liable, **10:379 [CC 303]**
- Offence and punishment, **10:373, 10:375 [CC 300, 301]**
- Plea of justification, **27:100, 27:111, 27:112 [CC 607(2), 611, 612]**
- Verdict, **10:405 [CC 317]**

DEFENCES (COMMON LAW)

- Abuse of process, **2:19, 6:48, 41:22 [CC 8, 131, CA 7]**
- Automatism, **2:40 [CC 16]**
- Drunkenness (intoxication), **2:19, 2:40 [CC 8, 16]**
- Due diligence, **2:19 [CC 8]**

DEFENCES (COMMON LAW)

—Cont'd

- Entrapment, **2:19 [CC 8]**
- Extreme intoxication, **2:116 [CC 33.1]**
- Honest belief, **2:19 [CC 8]**
- Necessity, **2:19 [CC 8]**
- Negligence, violence by, **2:116 [CC 33.1]**
- Preservation by Code, **2:22 [CC 8(3)]**
- Res judicata, **2:19, 2:32 [CC 8, 12]**

DEFENCES (STATUTORY)

See also LAW ENFORCEMENT IMMUNITY

Abduction

- consent of young person, no defence, **10:339 [CC 286]**
- necessary protection, **10:337 [CC 285]**
- parental consent, **10:336 [CC 284]**

Aircraft, use of force aboard, **2:104 [CC 27.1]**

Assault and sexual assault
apprehended consent, **10:235, 10:272 [CC 265(4), 273.2]**

consent, **7:3, 10:231, 10:270, 10:270 [CC 150.1(1) to (2.2), 265(1)(a), 273.1, (3), (6)]**

Colour of right or lawful excuse, **14:4 [CC 429(2)]**

Common law defences, **2:22 [CC 8(3)]**

Compulsion by threats (duress), **2:50 [CC 17]**

Defence of property, **2:125 [CC 35]**

Defence of self or person under protection, **2:120 [CC 34]**

DEFENCES (STATUTORY)

—Cont'd

Defences to libel, **10:379 to 10:404 [CC 303 to 316]**

Ignorance of law no defence, **2:58 [CC 19]**

Justification (prevent offence), **2:102 [CC 27]**

Mental disorder, **2:40 [CC 16]**

Mistake

age of V, **7:3 [CC 150.1(4) to (6)]**

consent, **10:235 [CC 265(4)]**

Obedience to de facto law, **2:38 [CC 15]**

Protection of persons in authority

aircraft, use of force aboard, **2:104 [CC 27.1]**

correction of child by force, **2:127 [CC 43]**

excessive force, **2:100 [CC 26]**

master of ship, **2:131 [CC 44]**

surgical operation, **2:132 [CC 45]**

Provocation, **10:74 [CC 232]**

Public good (obscenity), **7:45, 7:47 [CC 163(3), (4)]**

DEFINITIONS

“Accused,” **28:1, 34:2 [CC 672.1(1), 716]**

“Acoustic device,” **12:79 [CC 342.1(2)]**

“Act,” **1:3 [CC 2]**

“Act or omission,” **2:16 [CC 7(3.77)]**

“Adjudicator,” **44:4 [CDA 2(1)]**

“Adult,” **20:77, 42:3 [CC 487.04, YCJA 2(1)]**

“Adult sentence,” **42:3 [YCJA 2(1)]**

“Advertisement for conversion therapy,” **7:61 [CC 164(8)]**

DEFINITIONS—Cont'd

- “Advertisement of sexual services,” **7:61 [CC 164(8)]**
- “Agent,” **13:115 [CC 426(4)]**
- “Agreement,” **2:16 [CC 7(2.34)]**
- “Alternate person in charge,” **44:99 [CDA 56.1(1)]**
- “Alternative measures,” **34:2 [CC 716]**
- “Ammunition,” **5:2 [CC 84(1)]**
- “Analogue,” **44:4 [CDA 2(1)]**
- “Analyst,” **11:1, 34:69 [CC 320.11, 729(2)]**
- “Antique firearm,” **5:2, 5:5, 5:1 [CC 84(1), (3), (3.1)]**
- “Appeal court,” **38:84, 38:123 [CC 812, 829]**
- “Appearance notice,” **1:3 [CC 2]**
- “Application for federal employment,” **28:33 [CC 672.37(1)]**
- “Appropriate Chief Justice,” **34:184 [CC 745.6(3)]**
- “Approved container,” **11:1 [CC 320.11]**
- “Approved drug screening equipment,” **11:1 [CC 320.11]**
- “Approved instrument,” **11:1 [CC 320.11]**
- “Approved screening device,” **11:1 [CC 320.11]**
- “Assessment,” **28:1 [CC 672.1(1)]**
- “Associated personnel,” **1:3 [CC 2]**
- “Association,” **9:28 [CC 204(9)]**
- “Attorney General,” **1:3, 21:52, 28:1, 36:19, 38:67, 38:68, 42:3 [CC 2, 507.1(11), 672.1(2), 773(5), 810.01(8),**

DEFINITIONS—Cont'd

- 810.011(14), YCJA 2(1)]**
- “Audioconference,” **1:3 [CC 2]**
- “Authorization,” **5:2, 8:1, 46:3 [CC 84(1), 183, DNA 2]**
- “Authorization to carry,” **47:3 [FA 2(1)]**
- “Authorization to export,” **47:3 [FA 2(1)]**
- “Authorization to transport,” **47:3 [FA 2(1)]**
- “Automatic firearm,” **5:2 [CC 84(1)]**
- “Automobile master key,” **12:133 [CC 353(5)]**
- “Bank-note,” **1:3 [CC 2]**
- “Barrel length,” **5:4 [CC 84(2)]**
- “Bet,” **9:2 [CC 197(1)]**
- “Bodily harm,” **1:3 [CC 2]**
- “Break,” **5:47, 12:1 [CC 98(2), 321]**
- “Brother,” **7:23 [CC 155(4)]**
- “Business,” **40:90, 47:3 [CEA 30(12), FA 2(1)]**
- “Canadian,” **4:1 [CC 83.01(1)]**
- “Canadian crew member,” **2:16 [CC 7(2.34)]**
- “Canadian Forces,” **1:3 [CC 2]**
- “Cap,” **28:69 [CC 672.64(1)]**
- “Carrier,” **47:3 [FA 2(1)]**
- “Cartridge magazine,” **5:2 [CC 84(1)]**
- “Cattle,” **1:3 [CC 2]**
- “Cause,” **40:150 [CEA 44]**
- “Cetacean,” **14:69 [CC 445.2(1)]**
- “Chairperson,” **28:1 [CC 672.1(1)]**
- “Change,” **34:85, 34:133 [CC 732.1, 742]**
- “Cheque,” **12:174, 12:181 [CC 362(5), 364(3)]**
- “Chief firearms officer,” **5:2, 47:3 [CC 84(1), FA 2(1)]**

DEFINITIONS—Cont’d

- “Chief Justice,” 8:42 [CC 188(4)]
- “Child,” 42:3 [YCJA 2(1)]
- “Child pornography,” 7:53 [CC 163.1(1)]
- “Civil aircraft,” 3:48 [CC 78(2)]
- “Clerk of the appeal court,” 38:1 [CC 785]
- “Clerk of the court,” 1:3, 36:1 [CC 2, 762(2)]
- “Coastal waters of Canada,” 12:70 [CC 339(6)]
- “Commencement day,” 47:3 [FA 2(1)]
- “Commissioner of Firearms,” 5:2 [CC 84(1)]
- “Commission of offence,” 18:23 [CC 467.1(3)]
- “Common betting house,” 9:2 [CC 197(1)]
- “Common gaming house,” 9:2, 9:4, 9:1 [CC 197(1), (2), (4)]
- “Common-law partner,” 1:3, 47:3 [CC 2, FA 2(1)]
- “Communicating,” 4:28, 10:408 [CC 83.221(2), 319(7)]
- “Competent authority,” 2:96, 5:71 [CC 25.1, 113(5)]
- “Complainant,” 1:3 [CC 2]
- “Computer data,” 1:3, 4:30, 20:52 [CC 2, 83.223(11), 487.011]
- “Computer password,” 12:79 [CC 342.1(2)]
- “Computer program,” 12:79 [CC 342.1(2)]
- “Computer service,” 12:79, 40:103 [CC 342.1(2), CEA 31.8]
- “Computer system,” 4:30, 12:79 [CC 83.223(11), 342.1(2)]

DEFINITIONS—Cont’d

- “Conference,” 42:3 [YCJA 2(1)]
- “Confirmed delivery service,” 42:3 [YCJA 2(1)]
- “Consent,” 7:21, 10:271 [CC 153.1(2), 273.1(1)]
- “Contributing,” 4:18 [CC 83.18(3) to (4)]
- “Controlled substance,” 44:4 [CDA 2(1)]
- “Conversion therapy,” 10:415 [CC 320.101]
- “Conveyance,” 11:1 [CC 320.11]
- “Copy,” 40:90 [CEA 30(12)]
- “Corporation,” 40:94 [CEA 31(1)]
- “Council,” 40:140 [CEA 39(2)]
- “Counsel,” 1:3, 2:75 [CC 2, 22(3)]
- “Count,” 1:3 [CC 2]
- “Counterfeit money,” 15:1 [CC 448]
- “Counterfeit token of value,” 15:1 [CC 448]
- “Court,” 4:29, 2:109, 2:131, 4:30, 7:61, 10:411, 27:77, 28:1, 34:2, 35:1, 40:85 [CC 83.222(8), 30(12), 44, 83.223(11), 164(8), 320(8), 601(10), 672.1(1), 716, 752, CEA 29(9)]
- “Court of appeal,” 1:3, 29:1, 30:4, 42:3 [CC 2, 673, 696.3(1), YCJA 2(2)]
- “Court of criminal jurisdiction,” 1:3 [CC 2]
- “Credit advance,” 12:97 [CC 347(2)]
- “Credit card,” 12:1, 12:76 [CC 321, 342(3)]
- “Crew member of a Partner State,” 2:16 [CC 7(2.34)]

DEFINITIONS—Cont'd

- “Crime of a sexual nature,”
20:136 [CC 490.011(1)]
- “Criminal organization,” 1:3,
18:24 [CC 2, 467.1(1)]
- “Criminal organization
offence,” 1:3 [CC 2]
- “Criminal rate,” 12:97 [CC
347(2)]
- “Crossbow,” 5:2 [CC 84(1)]
- “Current,” 15:1 [CC 448]
- “Custodial portion,” 42:3
[YCJA 2(1)]
- “Customs office,” 47:3 [FA
2(1)]
- “Customs officer,” 47:3 [FA
2(1)]
- “Data,” 14:13, 20:119, 20:197,
39:1, 40:103 [CC 430(8),
488.01(1), 492.1(8),
492.2(6), 841, CEA 31.8]
- “Database,” 20:136 [CC
490.011(1)]
- “Date,” 12:79 [CC 342.1(2)]
- “Day,” 1:3 [CC 2]
- “Designated criminal offence,”
44:99 [CDA 56.1(1)]
- “Designated drug offence,”
44:99 [CDA 56.1(1)]
- “Designated justice,” 21:52 [CC
507.1(10)]
- “Designated offence,” 17:1,
20:77, 20:136, 28:69, 35:1,
46:3, 46:3 [CC 462.3(1),
487.04, 490.011(1),
672.64(1), 752, DNA 2, (2)]
- “Designated substance offence,”
17:36, 44:4 [CC 462.48(1),
CDA 2(1)]
- “Device,” 1:3, 12:41, 12:81
[CC 2, 327(4), 342.2(4)]
- “Disclosure,” 42:3 [YCJA 2(1)]
- “Disorderly house,” 9:2 [CC
197(1)]

DEFINITIONS—Cont'd

- “Disposition,” 28:1, 28:69 [CC
672.1(1), 672.64(5)]
- “Disposition information,”
28:49 [CC 672.51(1)]
- “Distinguishing mark,” 13:93
[CC 417(3)]
- DNA, 20:77, 46:3 [CC 487.04,
DNA 2]
- “Document,” 10:108, 12:1,
20:119 [CC 241.4(4), 321,
488.01(1)]
- “Document of title to goods,”
1:3 [CC 2]
- “Document of title to lands,” 1:3
[CC 2]
- “Dual status offender,” 28:1
[CC 672.1(1)]
- “Duty,” 10:18 [CC 219(2)]
- “Dwelling-house,” 1:3 [CC 2]
- “Electro-convulsive therapy,”
28:66 [CC 672.61(2)]
- “Electromagnetic, acoustic,
mechanical or other
device,” 8:1, 12:79 [CC
183, 342.1(2)]
- “Electronic document,” 39:1,
40:103 [CC 841, CEA
31.8]
- “Electronic documents system,”
40:103 [CEA 31.8]
- “Enactment,” 2:13 [CC 6(3)]
- “Entity,” 4:1 [CC 83.01(1)]
- “Entrance,” 5:47, 12:119 [CC
98(3), 350]
- “Environment,” 1:3 [CC 2]
- “Escape,” 6:101 [CC 149(2)]
- “Evaluating officer,” 11:1 [CC
320.11]
- “Every one,” 1:3 [CC 2]
- “Evidence,” 6:1, 6:60 [CC 118,
136(2)]
- “Exchequer bill,” 12:1 [CC
321]

DEFINITIONS—Cont’d

- “Exchequer bill paper,” 12:1 [CC 321]
- “Explosive substance,” 1:3 [CC 2]
- “Export,” 5:2 [CC 84(1)]
- “Expose,” 10:1 [CC 214]
- “Extrajudicial measures,” 42:3 [YCJA 2(1)]
- “Extrajudicial sanction,” 42:3 [YCJA 2(1)]
- “Facilitation,” 4:1, 4:20, 18:23 [CC 83.01(2), 83.19(2), 467.1(2)]
- “False document,” 12:1 [CC 321]
- “False pretence,” 12:168 [CC 361]
- “Federal Minister,” 47:3 [FA 2(1)]
- “Federal proceeding,” 40:139.03 [CEA 38.2]
- “Financial institution,” 40:85 [CEA 29(9)]
- “Fine,” 34:2 [CC 716]
- “Fingerprint examiner,” 27:268 [CC 667(4)]
- “Firearm,” 1:3, 1:44 [CC 2, 2.1]
- “Firearms officer,” 5:2, 47:3 [CC 84(1), FA 2(1)]
- “Fishing zone of Canada,” 19:19 [CC 477(1)]
- “Fixed platform,” 3:51 [CC 79]
- “Flight,” 2:16 [CC 7(8)]
- “Flight element,” 2:16 [CC 7(2.34), (2.38)]
- Forensic DNA analysis, 20:77, 46:3 [CC 487.04, DNA 2]
- “Former Act,” 47:3 [FA 2(1)]
- “Form of marriage,” 10:1 [CC 214]
- “Function,” 12:79 [CC 342.1(2)]
- “Game,” 9:2 [CC 197(1)]

DEFINITIONS—Cont’d

- “Gaming equipment,” 9:2 [CC 197(1)]
- “Genocide,” 10:406, 10:411 [CC 318(2), 320(8)]
- “Goods,” 13:1 [CC 379]
- “Government,” 6:1, 40:94 [CC 118, CEA 31(1)]
- “Government or public facility,” 1:3 [CC 2]
- “Guardian,” 7:1, 10:1, 10:328 [CC 150, 214, 280(2)]
- “Handgun,” 5:2 [CC 84(1)]
- “Hate propaganda,” 10:411 [CC 320(8)]
- “Health professional,” 13:108.50 [CC 423.2(5)]
- “Her Majesty’s Forces,” 1:3 [CC 2]
- “High-risk accused,” 28:1 [CC 672.1(1)]
- “Highway,” 1:3 [CC 2]
- “Holder,” 5:6 [CC 84(4)]
- “Hospital,” 28:1 [CC 672.1(1)]
- “Identifiable group,” 10:406, 10:408 [CC 318(4), 319(7)]
- “Illicit substance,” 44:99 [CDA 56.1(1)]
- “Imitation firearm,” 5:2 [CC 84(1)]
- “Import,” 5:2 [CC 84(1)]
- “Indictment,” 1:3, 29:1, 42:3 [CC 2, 673, YCJA 2(2)]
- “Informant,” 38:1 [CC 785]
- “Information,” 38:1 [CC 785]
- “Insane,” 2:42 [CC 16(2)]
- “Inside information,” 13:33 [CC 382.1(4)]
- “Inspector,” 47:99 [FA 101]
- “Instruments for illicit drug use,” 4:38 [CC 83.28(1)]
- “Insurance charge,” 12:97 [CC 347(2)]

DEFINITIONS—Cont'd

- “Intercept,” 8:1, 12:79 [CC 183, 342.1(2)]
- “Interest,” 12:97, 12:99 [CC 347(2), 347.1(1)]
- “International cruise ship,” 9:44 [CC 207.1(4)]
- “Intimate image,” 7:39, 7:61 [CC 162.1(2), 164(8)]
- “Intimate partner,” 1:3 [CC 2]
- “Journalist,” 20:119 [CC 488.01(1)]
- “Journalistic source,” 20:119 [CC 488.01(1)]
- “Judge,” 4:5, 4:29, 4:30, 4:37, 7:61, 10:413, 17:1, 20:120, 20:197, 20:198, 21:1, 25:1, 40:119, 40:150, 44:3 [CC 83.05(11), 83.222(8), 83.223(11), 83.28(1), 164(8), 320(8), 462.3(1), 488.1(1), 492.1(8), 492.2(6), 493, 552, CEA 38, 44, CDA 2(1)]
- “Judicial proceeding,” 6:1 [CC 118]
- “Justice,” 1:3, 42:3, 44:4 [CC 2, YCJA 2(2), CDA 2(1)]
- “Justice system participant,” 1:3 [CC 2]
- “Keeper,” 9:2 [CC 197(1)]
- “Key staff members,” 44:99 [CDA 56.1(1)]
- “Law enforcement animal,” 14:67 [CC 445.01(4)]
- “Law enforcement officer,” 14:67 [CC 445.01(4)]
- “Lawyer,” 20:121 [CC 488.1(1)]
- “Legal proceeding,” 40:85, 40:90 [CEA 29(9), 30(12)]
- “Licence,” 5:2, 12:133 [CC 84(1), 353(5)]
- “Listed entity,” 4:1 [CC 83.01(1)]

DEFINITIONS—Cont'd

- “Local government,” 44:99 [CDA 56.1(1)]
- “Long-term supervision,” 35:1 [CC 752]
- “Lottery scheme,” 9:40, 9:44 [CC 207(5), 207.1(4)]
- “Lumber,” 12:70 [CC 339(6)]
- “Lumbering equipment,” 12:70 [CC 339(6)]
- “Magistrate,” 1:3, 25:1 [CC 2, 552]
- “Mark,” 12:211 [CC 376(3)]
- “Mechanical device,” 12:76 [CC 342(2)]
- “Medical assistance in dying,” 10:44, 10:104, 10:101, 10:126 [CC 227(5), 241.1, 241(7), 245(3)]
- “Medical practitioner,” 10:44, 10:104, 10:101, 10:126, 28:1 [CC 227(5), 241.1, 241(7), 245(3), 672.1(1)]
- “Member of a force,” 3:24 [CC 62(2)]
- “Mental disorder,” 1:3 [CC 2]
- “Military animal,” 14:67 [CC 445.01(4)]
- “Military justice participant,” 13:108 [CC 423.1(4)]
- “Military law,” 1:3 [CC 2]
- “Minister,” 28:72, 44:4 [CC 672.68(1), CDA 2(1)]
- “Motor vehicle,” 1:3 [CC 2]
- “Municipality,” 1:3, 44:99 [CC 2, CDA 56.1(1)]
- “Municipal official,” 6:23 [CC 123(3)]
- “Newly-born child,” 1:3 [CC 2]
- “Newspaper,” 10:367, 21:87, 23:31, 23:47, 27:190 [CC 297, 517(3), 539(4), 542(3), 648(3)]
- “Night,” 1:3 [CC 2]

DEFINITIONS—Cont'd

- “Non-resident,” 47:3 [FA 2(1)]
- “Non-restricted firearm,” 5:2 [CC 84(1)]
- “Nuclear facility,” 1:3 [CC 2]
- “Nuclear material,” 1:3 [CC 2]
- “Nurse practitioner,” 10:44, 10:104, 10:101, 10:126 [CC 227(5), 241.1, 241(7), 245(3)]
- “Oath,” 40:150 [CEA 44]
- “Offence,” 8:1, 42:3 [CC 183, YCJA 2(1)]
- “Offence-related property,” 1:3, 44:4 [CC 2, CDA 2(1)]
- “Offensive weapon,” 1:3 [CC 2]
- “Office,” 6:1 [CC 118]
- “Officer,” 20:121, 20:119 [CC 488.1(1), 488.01(1)]
- “Officer in charge,” 21:1 [CC 493]
- “Official,” 6:1, 10:254, 40:109 [CC 118, 269.1(2), CEA 36.1]
- “Official fee,” 12:97 [CC 347(2)]
- “Ontario Act,” 20:136 [CC 490.011(1)]
- “Operate,” 11:1 [CC 320.11]
- “Optional conditions,” 34:133 [CC 742]
- “Order,” 38:1, 46:3 [CC 785, DNA 2]
- “Organization,” 1:3, 44:4 [CC 2, CDA 2(1)]
- “Overdraft,” 12:97 [CC 347(2)]
- “Owner,” 1:3 [CC 2]
- “Pardon,” 20:136 [CC 490.011(1)]
- “Parent,” 42:3 [YCJA 2(1)]
- “Participant,” 32:5, 40:119 [CC 715.25(1), CEA 38]
- “Participating,” 4:18 [CC 83.18(3) to (4)]

DEFINITIONS—Cont'd

- “Partner State,” 2:16 [CC 7(2.34), (2.38)]
- “Party,” 28:1 [CC 672.1(1)]
- “Passport,” 3:15 [CC 57(5)]
- “Payday loan,” 12:99 [CC 347.1(1)]
- “Peace officer,” 1:3, 2:16 [CC 2, 7(8)]
- “Penalty,” 34:112 [CC 734.8(1)]
- “Person,” 1:3, 44:4 [CC 2, CDA 2(1)]
- Personal authentication information, 12:76 [CC 342(4)]
- “Person in authority,” 42:168 [YCJA 146(9)]
- “Pharmacist,” 10:101, 10:104 [CC 241(7), 241.1]
- “Photograph,” 20:195 [CC 491.2(8)]
- “Photographic film,” 40:90, 40:94 [CEA 30(12), 31(1)]
- “Place,” 5:47, 9:2, 10:340, 12:103 [CC 98(2), 197(1), 286.1(5), 348(3)]
- “Placement decision,” 28:1 [CC 672.1(1)]
- “Possession,” 44:4 [CDA 2(1)]
- Potentially injurious information, 40:119 [CEA 38]
- “Practitioner,” 44:4 [CDA 2(1)]
- “Precursor,” 44:4 [CDA 2(1)]
- “Prescribed,” 44:4, 5:2, 28:1, 47:3 [CDA 2(1), CC 84(1), 672.1(1), FA 2(1)]
- “Pre-sentence report,” 42:3 [YCJA 2(1)]
- “Primary designated offence,” 20:77, 35:1 [CC 487.04, 752]
- “Principal,” 13:115 [CC 426(4)]
- “Prison,” 1:3, 27:114 [CC 2, 618]

DEFINITIONS—Cont'd

- “Private communication,” 8:1 [CC 183]
- “Prize fight,” 3:68 [CC 83(2)]
- “Proceeding,” 40:119 [CEA 38]
- “Proceedings,” 38:1 [CC 785]
- “Proceeds of crime,” 17:1 [CC 462.3(1)]
- “Produce,” 44:4 [CDA 2(1)]
- “Progress report,” 42:106 [YCJA 88]
- “Prohibited act,” 3:9 [CC 52(2)]
- “Prohibited ammunition,” 5:2 [CC 84(1)]
- “Prohibited device,” 5:2 [CC 84(1)]
- “Prohibited firearm,” 5:2 [CC 84(1)]
- “Prohibited weapon,” 5:2 [CC 84(1)]
- “Prohibition order,” 5:2 [CC 84(1)]
- “Promise to appear,” 21:1 [CC 493]
- “Property,” 1:3, 2:4, 14:1, 14:5 [CC 2, 4(2), 428, 430(4.101)]
- “Prosecutor,” 1:3, 38:1, 40:119 [CC 2, 785, CEA 38]
- “Protected statement,” 28:15 [CC 672.21(1)]
- “Provide,” 44:4 [CDA 2(1)]
- “Provincial court judge,” 5:67, 20:77, 47:67 [CC 111(1), 487.04, FA 76.1]
- “Provincial director,” 42:3 [YCJA 2(1)]
- “Provincial minister,” 47:3 [FA 2(1)]
- “Psycho-surgery,” 28:66 [CC 672.61(2)]
- “Publication,” 42:3 [YCJA 2(1)]
- “Public department,” 1:3 [CC 2]

DEFINITIONS—Cont'd

- “Public facility,” 1:3 [CC 2]
- “Public officer,” 1:3, 2:96, 5:89, 20:197, 20:198 [CC 2, 25.1, 117.07(2), 492.1(8), 492.2(6)]
- “Public place,” 7:1, 9:2, 10:340, 10:408 [CC 150, 197(1), 286.1(5), 319(7)]
- “Public stores,” 1:3 [CC 2]
- “Public transit operator,” 10:253 [CC 269.01(2)]
- “Qualified medical practitioner,” 11:1 [CC 320.11]
- “Qualified person,” 42:41 [YCJA 34(14)]
- “Qualified technician,” 11:1 [CC 320.11]
- “Railway equipment,” 1:3 [CC 2]
- “Recognizance,” 1:3 [CC 2]
- “Record,” 10:289, 40:90, 42:3 [CC 278.1, CEA 30(12), YCJA 2(1)]
- “Record suspension,” 20:136 [CC 490.011(1)]
- “Registrar,” 5:2, 29:1 [CC 84(1), 673]
- “Registrar of motor vehicles,” 10:164, 10:213 [CC 254(6), 260(7)]
- “Registration centre,” 20:136 [CC 490.011(1)]
- “Registration certificate,” 5:2 [CC 84(1)]
- “Regulations,” 47:3 [FA 2(1)]
- “Release from imprisonment,” 5:61, 5:65 [CC 109(4), 110(4)]
- “RepliCA firearm,” 5:2 [CC 84(1)]
- “Representative,” 1:3 [CC 2]
- “Required deposit balance,” 12:97 [CC 347(2)]

DEFINITIONS—Cont'd

- “Responsible person in charge,”
44:99 [CDA 56.1(1)]
- “Restricted firearm,” 5:2 [CC
84(1)]
- “Restricted weapon,” 5:2 [CC
84(1)]
- “Revenue paper,” 12:1 [CC
321]
- “Review board,” 42:3, 42:106
[YCJA 2(1), 88]
- “Review Board,” 20:136, 28:1,
42:163 [CC 490.011(1),
672.1(1), YCJA 141(12)]
- “Schedule,” 36:1 [CC 762(2)]
- “Secondary designated
offence,” 20:77 [CC
487.04]
- “Secure electronic signature,”
40:103 [CEA 31.8]
- “Seditious intention,” 3:18 [CC
59(4)]
- “Sell,” 8:1, 44:4 [CC 183, CDA
2(1)]
- “Senior officer,” 1:3 [CC 2]
- “Senior official,” 2:96 [CC
25.1]
- “Sensitive information,” 40:119
[CEA 38]
- “Sentence,” 29:1, 38:1 [CC
673, 785]
- “Serious offence,” 1:3, 18:24,
18:23, 42:3 [CC 2,
467.1(1), (4), YCJA 2(1)]
- “Serious personal injury
offence,” 28:86, 35:1 [CC
672.81(1.3), 752]
- “Serious violent offence,” 42:3
[YCJA 2(1)]
- “Service animal,” 14:67 [CC
445.01(4)]
- “Sexually explicit material,”
7:80 [CC 171.1(5)]
- “Sexual offence,” 20:92 [CC
487.055(3)]

DEFINITIONS—Cont'd

- “Ship,” 3:51 [CC 79]
- “Significant threat to safety of
public,” 28:56 [CC
672.5401]
- “Sister,” 7:23 [CC 155(4)]
- “Solicitor,” 8:1 [CC 183]
- “Space flight,” 2:16 [CC
7(2.34)]
- “Space Station,” 2:16 [CC
7(2.34), (2.38)]
- “Stamp,” 12:211 [CC 376(3)]
- “Statement,” 4:28, 5:59 [CC
83.221(2), 107(3)]
- “Statements,” 10:408 [CC
319(7)]
- “Steal,” 1:3 [CC 2]
- “Subsequent offence,” 5:1,
10:91, 10:114, 10:264,
10:269, 10:313, 10:329,
12:87 [CC 84(5), (6),
239(2), (3), 244(3), (4),
272(3), (4), 273(3), (4),
279(1.2), (1.3), 279.1(2.1),
(2.2), 344(2), (3)]
- “Summary conviction court,”
38:1, 42:3 [CC 785, YCJA
2(2)]
- “Summons,” 21:1 [CC 493]
- “Superior court,” 5:2, 38:123,
47:67 [CC 84(1), 829, FA
76.1]
- “Superior court of criminal juris-
diction,” 1:3, 42:3 [CC 2,
YCJA 2(2)]
- “Supervised consumption site,”
44:99 [CDA 56.1(1)]
- “Supervisor,” 34:133 [CC 742]
- “Territorial division,” 1:3 [CC
2]
- “Terrorism offence,” 1:3 [CC 2]
- “Terrorist activity,” 4:1 [CC
83.01(1), (1.1), (1.2)]
- “Terrorist group,” 4:1 [CC
83.01(1)]

DEFINITIONS—Cont'd

- “Terrorist propaganda,” 4:29
[CC 83.222(8)]
- “Testamentary instrument,” 1:3
[CC 2]
- “Theatre,” 7:1 [CC 150]
- “Three-card monte,” 9:34 [CC
206(2)]
- “Torture,” 10:254 [CC 269.1(2)]
- “Tracking data,” 20:197 [CC
492.1(8)]
- “Tracking device,” 20:197 [CC
492.1(8)]
- “Trade combination,” 18:22
[CC 467(2)]
- “Traffic,” 12:76, 12:79, 12:152,
44:4 [CC 342(4), 342.1(2),
355.1, CDA 2(1)]
- “Transfer,” 5:2, 47:23 [CC
84(1), FA 21]
- “Transmission data,” 20:198
[CC 492.2(6)]
- “Transmission data recorder,”
20:198 [CC 492.2(6)]
- “Trial,” 38:1 [CC 785]
- “Trial court,” 29:1 [CC 673]
- “Trustee,” 1:3 [CC 2]
- “Undertaking,” 1:3 [CC 2]
- “Unfit to stand trial,” 1:3 [CC 2]
- “United Nations operation,” 1:3
[CC 2]
- “United Nations personnel,” 1:3
[CC 2]
- “Utter,” 15:1 [CC 448]
- “Valuable mineral,” 1:3 [CC 2]
- “Valuable security,” 1:3 [CC 2]
- “Vehicle,” 10:253 [CC
269.01(2)]
- “Vehicle identification number,”
12:139 [CC 354(3)]
- “Verdict of not criminally
responsible on account of
mental disorder,” 28:1 [CC
672.1(1)]

DEFINITIONS—Cont'd

- “Vessel,” 11:1, 12:61 [CC
320.11, 335]
- “Victim,” 1:3, 33:1, 42:3 [CC 2,
715.3(1), YCJA 2(2)]
- “Videoconference,” 1:3 [CC 2]
- “Violent offence,” 42:3 [YCJA
2(1)]
- “Voyeuristic recording,” 7:61
[CC 164(8)]
- “Warrant,” 21:1 [CC 493]
- “Weapon,” 1:3, 10:260 [CC 2,
270.1(2)]
- “Witness,” 6:1 [CC 118]
- “Wreck,” 1:3 [CC 2]
- “Writing,” 1:3, 39:4 [CC 2,
844]
- “Young Offenders Act,” 20:77
[CC 487.04]
- “Young person,” 7:17, 20:77,
42:3, 46:3 [CC 153(2),
487.04, YCJA 2(1), DNA
2]
- “Youth custody facility,” 42:3
[YCJA 2(1)]
- “Youth justice court,” 42:3
[YCJA 2(1)]
- “Youth justice court judge,”
42:3 [YCJA 2(1)]
- “Youth sentence,” 42:3, 42:113
[YCJA 2(1), 95]
- “Youth worker,” 42:3 [YCJA
2(1)]

DEPOSITION

- See also AFFIDAVIT
- Affirmation in lieu of oath,
40:54, 40:58 [CEA 14, 15]
- Preliminary inquiry, 23:35,
23:36 [CC 540(2), (3)]
- Proof of signing, 40:41 [CEA
10(2)]

DETENTION

- See also DANGEROUS
OFFENDERS, JUDICIAL

DETENTION—Cont’d

INTERIM, RELEASE

Rights on arrest or detention,
41:57 [CA 10]

Seized property, **20:129, 20:194**
[CC 490, 491.1]

To prevent breach of peace,
2:109 [CC 30]

Young person

authorization of provincial
authority, **42:36 [YCJA**
30(8)]

care of responsible person,
42:38 [YCJA 31]

Criminal Code, application of,
42:33 [YCJA 28]

designated place, **42:36**
[YCJA 30(1), (2)]

determination by provincial
authority, **42:36 [YCJA**
30(9)]

exceptions, **42:36 [YCJA**
30(2), (5), (7)]

notice, **42:31, 42:34 [YCJA**
26, 28.1]

offences, **42:160 [YCJA 139]**

order respecting detention or
release, **42:40 [YCJA 33]**

separate from adults, **42:36**
[YCJA 30(3)]

transfer by provincial director,
42:36 [YCJA 30(6)]

transfer to adult facility, **42:36**
[YCJA 30(4)]

DIRECTORS AND OFFICERS

Broker reducing stock by selling
for own account, **13:35 [CC**
384]

Criminal liability generally,
2:77, 10:12 [CC 22.1,
217.1]

Duty of persons directing work,
10:12 [CC 217.1]

DIRECTORS AND OFFICERS

—Cont’d

Liability for fraud regarding pub-
lic stores, **13:94 [CC**
418(2)]

“Senior officer,” defined, **1:3**
[CC 2]

“Senior officer” defined, **1:3**
[CC 2]

Theft from company, **12:45 [CC**
328(e)]

DISARMING PEACE OFFICER

See **PEACE OFFICER**

DISCHARGE

See also **PROBATION**

Absolute and conditional
appeal, **34:74 [CC 730(3)]**
breach of probation order,
34:75 [CC 730(4)]

circumstances for granting,
34:72 [CC 730(1)]

process in force until dis-
charge, **34:73 [CC**
730(2)]

report by probation officer,
34:48 [CC 721(1)]

restitution to victim of
offences, **34:122 [CC**
738(1)]

“sentence” including dis-
charge, **29:1, 38:1 [CC**
673, 785]

victim impact statement,
34:51 [CC 722.1]

see also **Victim Impact**
Statement

Preliminary inquiry, **23:78 [CC**
548(1)(b)]

DISCLOSURE

See also **PERSONAL RECORD**
OF COMPLAINANT,
PRODUCTION ORDERS

DISCLOSURE—Cont'd

- Defence, by
 - expert evidence, **27:243** [CC **657.3(3) to (7)**]
- Expert evidence, **27:243** [CC **657.3(3) to (7)**]
- General, **27:85** [CC **603**]
- Government information
 - confidences of Queen's Privy Council for Canada, **40:140** [CEA **39**]
 - greater certainty, **4:6** [CC **83.06(2)**]
 - income tax information, **17:36** [CC **462.48**]
 - return of information, **4:6** [CC **83.06(1)**]
 - right to sealed packet contents, **8:36** [CC **187**]
 - sensitive information
 - agreement to disclose, **40:123, 40:124** [CEA **38.031, 38.04(6) to (7)**]
 - appeals from orders concerning, **40:124, 40:131, 40:130, 40:132, 40:133** [CEA **38.04(7), 38.1, 38.09, 38.11, 38.12**]
 - applications to Federal Court re, **40:122, 40:127, 40:132, 40:133** [CEA **38.03, 38.06, 38.11, 38.12**]
 - authorization by Attorney General of Canada, **40:122** [CEA **38.03**]
 - certificate prohibiting disclosure, **40:134, 40:135, 40:139** [CEA **38.13, 38.17, 38.131**]
 - conditions of disclosure, **40:127** [CEA **38.06(2)**]

DISCLOSURE—Cont'd

- Government information
 - Cont'd
 - sensitive information—Cont'd
 - court records, **40:124, 40:133** [CEA **38.04(4), 38.12(2)**]
 - defined, **40:119** [CEA **38**]
 - exceptional circumstances, **40:130** [CEA **38.09(3)**]
 - fiat of Attorney General taking over prosecution, **40:137, 40:139** [CEA **38.15, 38.17**]
 - limitation periods for appeals, **40:130, 40:131** [CEA **38.09(2), 38.1**]
 - limitation person charged with offence, **40:130** [CEA **38.09(1.1)**]
 - military proceedings, in, **40:120, 40:122** [CEA **38.01(5), 38.03(2)**]
 - notice to Attorney General of Canada, **40:120, 40:121, 40:122** [CEA **38.01, 38.02(1.1) to (2), 38.03(3)**]
 - order for, **40:127, 40:128, 40:129** [CEA **38.06, 38.07, 38.08**]
 - prohibited, **40:121, 40:127** [CEA **38.02, 38.06(3)**]
 - prohibition, order confirming, **40:127, 40:128** [CEA **38.06(3), 38.07**]
 - regulations concerning, power to make, **40:138** [CEA **38.16**]
 - report relating to proceedings, **40:126** [CEA **38.05**]
 - review of orders concerning, automatic, **40:124,**

DISCLOSURE—Cont’d

- Government information
 - Cont’d
 - sensitive information—Cont’d
 - 40:129 [CEA 38.04(7), CEA 38.08]**
 - right to fair trial, protection of, and, **40:136 [CEA 38.14]**
 - when determination takes effect, **40:127 [CEA 38.06(3.01)]**
 - specified public interest, information protected by
 - appeals of orders relating to, **40:115, 40:116 [CEA 37.1, 37.2]**
 - disclosure order, **40:110, 40:118 [CEA 37(4.1) to (5), 37.3, (8) to (9)]**
 - limitation periods for
 - appeals and objections, **40:114, 40:115, 40:116 [CEA 37(4), 37.1(2), 37.2]**
 - objection to disclosure, **40:110, 40:118 [CEA 37, 37.3]**
 - prohibition order, **40:110 [CEA 37(6)]**
 - right to fair trial, protection of, **40:118 [CEA 37.3]**
- Medical records, **10:289 to 10:300 [CC 278.1 to 278.7]**
- Personal record of complainant, **10:289 to 10:300 [CC 278.1 to 278.7]**
- Police records, **34:5, 34:7, 34:7 [CC 717.2(2), 717.4, (3)]**
- Secure administrative review proceedings, **40:139.05 to 40:139.65 [CEA 38.21 to 38.45]**
- Terrorist group property
 - civil and criminal immunity

DISCLOSURE—Cont’d

- Terrorist group property
 - Cont’d
 - for disclosure, **4:8 [CC 83.08]**
 - duty to disclose, **4:10 [CC 83.1(1)]**
 - Third party records, **10:289 to 10:300 [CC 278.1 to 278.7]**

DISGUISE

- With intent to commit offence, **12:126 [CC 351(2)]**

DISGUSTING OBJECT

- Exhibiting, **7:42 [CC 163(2)(b)]**
- motive irrelevant, **7:48 [CC 163(5)]**
- punishment, **7:77 [CC 169]**
- service of public good as defence, **7:45, 7:47 [CC 163(3), (4)]**

DISOBEDIENCE

- See also CONTEMPT
- Disobeying court order, **6:30 [CC 127]**
- Disobeying statute, **6:28 [CC 126]**

DISORDERLY CONDUCT

- Causing disturbance, **7:99 [CC 175(1)(a)]**
- evidence of peace officer, **7:101 [CC 175(2)]**
- Disturbing occupants of dwelling-house, **7:99 [CC 175(1)(d)]**
- evidence of peace officer, **7:101 [CC 175(2)]**
- Disturbing religious worship, **7:111, 7:109 [CC 176(2), (3)]**
- Indecent acts, **7:91 [CC 173(1)]**
- Indecent exhibition, **7:99 [CC 175(1)(b)]**

DISORDERLY CONDUCT

—Cont'd

- Loitering, **7:99** [CC 175(1)(c)]
- Nudity, **7:95** [CC 174]
 - consent to prosecution, **7:98** [CC 174(3)]
- Obstructing officiating clergyman, **7:110** [CC 176(1)]
- Trespassing at night, **7:112** [CC 177]

DISORDERLY HOUSE

- Common bawdy-house arrest, **9:9** [CC 199]
 - “disorderly house,” **9:2** [CC 197(1)]
 - jurisdiction of provincial court judge, **25:2** [CC 553(c)(viii)]
 - offences, **9:1, 38:70** [CC 197(1), 810.1]
 - search, **9:9** [CC 199]
- Common betting house arrest, **9:9** [CC 199]
 - “bet,” **9:2** [CC 197(1)]
 - “common betting house,” **9:2** [CC 197(1)]
 - exemptions from offences, **9:28** [CC 204]
 - offences, **9:1, 9:13** [CC 197(1), 201]
 - search and seizure, **9:9** [CC 199]
- Common gaming house arrest, **9:9** [CC 199]
 - “common gaming house,” **9:2** [CC 197(1)]
 - exemptions from offences, **9:28** [CC 204]
 - “game,” **9:2** [CC 197(1)]
 - “gaming equipment,” **9:2** [CC 197(1)]
 - offences, **9:1, 9:13** [CC 197(1), 201]

DISORDERLY HOUSE—Cont'd

- Search and seizure, **9:9** [CC 199]

DISPOSITIONS AND DISPOSITION HEARINGS (MENTAL DISORDER)

- See also FITNESS TO STAND TRIAL, MENTAL DISORDER, REVIEW BOARDS

By court

- authority, **28:41** [CC 672.45(1)]
 - “court,” **28:1** [CC 672.1(1)]
- transcript to review Board, **28:41** [CC 672.45(1.1)]
- when to be made, **28:41** [CC 672.45(2)]

By Review Board

- authority, **28:43** [CC 672.47]
- determination of fitness, **28:44** [CC 672.48]
- “Review Board,” **28:1** [CC 672.1(1)]
- status quo pending hearing, **28:42** [CC 672.46]

Dual status offenders

- see DUAL STATUS OFFENDERS

High-risk accused

- see HIGH-RISK ACCUSED

Procedure on hearing

- appearance of accused by video links, **28:46** [CC 672.5(13)]
- assignment of counsel, **2:2, 28:46** [CC 4(d), 672.5(8) to (8.2)]
- attendance of witnesses, **28:46** [CC 672.5(12)]
- determination of condition, **28:46** [CC 672.5(13.2)]
- disposition information, **28:49** [CC 672.51]

**DISPOSITIONS AND
DISPOSITION HEARINGS
(MENTAL DISORDER)**

—Cont’d

- Procedure on hearing—Cont’d
 - effect of procedural irregularities, **28:51** [CC 672.53]
 - exclusion of public, **28:46** [CC 672.5(6)]
 - informality, **28:46** [CC 672.5(2)]
 - inquiry by court re VIS, **28:46** [CC 672.5(15.2)]
 - notice of hearing, **28:46** [CC 672.5(5)]
 - notice of sex offender information registration order, **20:144** [CC 490.018(3)]
 - parties, **28:46** [CC 672.5(3), (4)]
 - presence of accused, **28:46** [CC 672.5(9)]
 - record of proceedings, **28:46** [CC 672.5(2)]
 - removal of accused, **28:46** [CC 672.5(10)]
 - rights of the parties, **28:46** [CC 672.5(11)]
 - rights of victims, **28:46** [CC 672.5]
 - rights to counsel, **28:46** [CC 672.5(7)]
 - victim impact statement, **28:46** [CC 672.5(14) to (15.3)]
- Review of dispositions
 - by court of appeal, **28:76 to 28:83** [CC 672.72 to 672.78]
 - by Review Board, **28:46, 28:86, 28:87, 28:90** [CC 672.5, 672.81, 672.82, 672.85]
- Stay of proceedings
 - appeal, **28:92** [CC 672.852]

**DISPOSITIONS AND
DISPOSITION HEARINGS
(MENTAL DISORDER)**

—Cont’d

- Stay of proceedings—Cont’d
 - court inquiry, **28:91** [CC 672.851(4)]
 - review board recommendation, **28:91** [CC 672.851(1)]
 - stay, **28:91** [CC 672.851(7)]
- Terms of dispositions
 - effective date, **28:68** [CC 672.63]
 - general authority, **28:52, 28:56** [CC 672.54, 672.5401]
 - “no contact” condition, **28:58** [CC 672.542]
 - period of disposition, **28:52, 28:59** [CC 672.54(c), 672.55(2)]
 - public safety paramount, **28:52, 28:56** [CC 672.54, 672.5401]
 - safety and security conditions, **28:58** [CC 672.542]
 - “significant threat” etc., **28:56** [CC 672.5401]
 - treatment not a term, **28:60** [CC 672.55(1)]
 - variation of restrictions, **28:52, 28:52, 28:61** [CC 672.54(b), (c), 672.56]
 - victim impact statement, **28:57** [CC 672.541]
- Treatment dispositions (unfit)
 - authority, **28:63** [CC 672.58]
 - consent required, **28:67** [CC 672.62]
 - criteria, **28:64** [CC 672.59(1)]
 - effective date, **28:68** [CC 672.63]
 - evidence required, **28:64** [CC 672.59(2)]

DISPOSITIONS AND

DISPOSITION HEARINGS (MENTAL DISORDER)

—Cont'd

Treatment dispositions (unfit)

—Cont'd

exceptions, **28:66 [CC
672.61]**

notice to accused, **28:65 [CC
672.6]**

Warrant of committal, **28:52,
39:83, 28:62 [CC
672.54(c), Form 49,
672.57]**

arrest without warrant, **28:99
[CC 672.91]**

execution of warrant, **28:98
[CC 672.9]**

release, **28:100, 28:101 [CC
672.92, 672.93]**

DISTINGUISHING MARK

Applying or removing, **13:93
[CC 417(1)]**

Dealing in public stores, **13:93
[CC 417(2)]**

“Distinguishing mark,” **13:93
[CC 417(3)]**

Prescription, **13:92 [CC 416]**

Presumption, **13:97 [CC 421(2)]**

DISTRESS

See also EXECUTION OF PRO-
CESS, SEARCH AND
SEIZURE

Obstructing lawful distress, **6:34
[CC 129(c)]**

DISTURBANCE

See also RIOT

Causing disturbance, **7:99 [CC
175(1)(a)]**

Discharging firearm, **7:99 [CC
175(1)(d)]**

DISTURBANCE—Cont'd

Disturbing occupants of dwell-
ing-house, **7:99 [CC
175(1)(d)]**

Disturbing religious worship or
meeting, **7:111, 7:109 [CC
176(2), (3)]**

Evidence of peace officer, **7:101
[CC 175(2)]**

Unlawful assembly, **3:25 [CC
63]**

DNA

See DNA IDENTIFICATION,
FORENSIC DNA ANALY-
SIS

DNA ANALYSIS

See DNA IDENTIFICATION,
FORENSIC DNA ANALY-
SIS

DNA AUTHORIZATIONS

See FORENSIC DNA ANALY-
SIS

DNA IDENTIFICATION

See also FORENSIC DNA
ANALYSIS

Access, **46:23 [DNA 8.1]**

Bodily substances

access to, **46:27 [DNA 10(4)]**

destruction, **46:10, 46:27,
46:28 [DNA 5.2(3), (4),
10(6), 10.1]**

pardoned offenders, of, **46:27
[DNA 10(8)]**

retention pending review,
46:10 [DNA 5.2(1)]

retesting, **46:27 [DNA 10(2)]**

storage, **46:27 [DNA 10(1),
(8)]**

technology change, effect of,
46:27 [DNA 10(2)]

transmission of derivative
profile, **46:27 [DNA
10(3)]**

DNA IDENTIFICATION

- Cont'd
- Bodily substances—Cont'd
 - use
 - authorized, **46:27** [DNA **10(5)**]
- Commissioner
 - delegation, **46:6** [DNA **5(2)**]
 - duties, **46:9, 46:10, 46:14, 46:27, 46:28, 46:32** [DNA **5.1, 5.2, 6, 10, 10.1, 13.1**]
 - powers, **46:14, 46:21, 46:27** [DNA **6, 7, 10**]
- Comparison of DNA profiles, **46:13, 46:14, 46:15** to **46:20** [DNA **5.5, 6, 6.1** to **6.6**]
- Consent, written, **46:12** [DNA **5.4**]
- Convicted offenders index
 - access to information
 - removed, **46:25** [DNA **9(2)**]
 - information kept indefinitely, **46:25** [DNA **9(1)**]
 - prescribed contents, **46:6** [DNA **5(4)**]
- Crime scene index
 - access to information
 - removed, **46:23** [DNA **8.1**]
 - prescribed contents, **46:6** [DNA **5(3)**]
- Defective orders/authorizations
 - confirmation or correction, **46:10** [DNA **5.2(2), (4)**]
 - destruction of bodily substances, **46:10** [DNA **5.2(4)**]
 - duties of commissioner re, **46:10** [DNA **5.2**]
 - notice to AG or DMP, **46:10** [DNA **5.2(1)**]

DNA IDENTIFICATION

- Cont'd
- Defective orders/authorizations
 - Cont'd
 - retention of bodily substances
 - pending review, **46:10** [DNA **5.2(1)**]
 - review by AG, **20:107** [CC **487.091**]
 - revoked orders/authorizations, **46:10** [DNA **5.2(3)**]
- DNA profiles
 - communication to foreign agencies/organizations/states, **46:14** [DNA **6(4)**]
 - convicted offenders index, **46:6** [DNA **5(4), (5)**]
 - crime scene index, **46:6** [DNA **5(3), (5)**]
 - principles pertaining to, **46:5** [DNA **4(a), (b)**]
 - unauthorized communication, **46:14** [DNA **6(7)**]
 - unauthorized use, **46:14** [DNA **6(6)**]
- Foreign agencies
 - agreement or arrangement with, **46:14** [DNA **6(5)**]
 - communication of DNA profile to, **46:14** [DNA **6(4)**]
 - receipt and use of information from, **46:14** [DNA **6(3)**]
- Information, see also DNA profiles
 - access to, **46:21, 46:23, 46:25, 46:26** [DNA **7, 8.1, 9, 9.1**]
 - authorized users, **46:14** [DNA **6(2)**]
 - communication of, **46:14** [DNA **6(1), (3), (4), (6.1), (7)**]
 - unauthorized, **46:14** [DNA **6(7)**]

DNA IDENTIFICATION

—Cont'd

- Information, see also DNA profiles—Cont'd
 - kept indefinitely, **46:25** [DNA **9(1)**]
 - use, authorized, **46:19** [DNA **6.5**]
- National DNA data bank
 - establishment, **46:6** [DNA **5**]
 - human remains index, **46:6** [DNA **5(4.4)**]
 - missing persons index, **46:6** [DNA **5(4.2)**, **(4.3)**]
 - offences, **46:22**, **46:27**, **46:29** [DNA **8**, **10(5)**, **11**]
 - prescribed contents, **46:6** [DNA **5(3)** to **(5)**]
 - relatives of missing persons index, **46:11** [DNA **5.3(2)**]
 - victims index, **46:6** [DNA **5(4.1)**]
 - voluntary donors index, **46:6** [DNA **5(4.5)**]
- Preconditions
 - missing persons, **46:11** [DNA **5.3(2)**]
 - relatives, **46:11** [DNA **5.3(2)**]
 - victims, **46:11** [DNA **5.3(1)**]
- Principles of legislation, **46:5** [DNA **4**]
- Purpose of legislation, **46:4** [DNA **3**]
- Regulations, power to make, **46:30** [DNA **12**]
- Report to Parliament, **46:32** [DNA **13.1**]
- Review of legislation, **46:31** [DNA **13**]
- Transfer, **46:24** [DNA **8.2**]
- Young offenders, **46:26**, **46:28** [DNA **9.1**, **10.1**]

DOCUMENT

- See also DOCUMENT OF TITLE, RECORD, TESTAMENTARY INSTRUMENT
- Attestation
 - when proof not required, **40:106** [CEA **34**]
- Definition, **12:1** [CC **321**]
- Deposition
 - see AFFIDAVIT; DEPOSITION
- Electronic documents
 - authenticity, **40:95** [CEA **31.1**]
 - best evidence rule, **40:96** [CEA **31.2(1)**]
 - copies, **39:7** [CC **847**]
 - data, **39:2**, **39:3** [CC **842**, **843**]
 - definitions, **39:1**, **40:103** [CC **841**, CEA **31.8**]
 - oaths, **39:6** [CC **846**]
 - presumption of integrity, **40:97** [CEA **31.3**]
 - presumptions regarding secure electronic signatures, **40:99** [CEA **31.4**]
 - printouts, **40:96** [CEA **31.2(2)**]
 - proof by affidavit, **40:101** [CEA **31.6**]
 - rules of laws relating to admissibility, **40:102** [CEA **31.7**]
 - signatures, **39:5**, **40:99** [CC **845**, CEA **31.4**]
 - writing requirements satisfied by, **39:4** [CC **844**]
- Impounding of forgery, **40:107** [CEA **35**]
- Inspection, **27:85** [CC **603**]
- Judicial notice, **40:66**, **40:70** [CEA **17**, **18**]

DOCUMENT—Cont'd

Offences

- damage or destruction, **12:72, 12:213 [CC 340, 377]**
- “false document,” **12:1 [CC 321]**
- false document drawing, **12:208 [CC 374(a)]**
- forgery, see FORGERY
- making, **12:187 [CC 366]**
- register, **[CC 378]**
- using false name, **12:208, 13:77 [CC 374, 405]**
- uttering, **12:208 [CC 374(b)]**

OFFENCES

- forgery, see also Forgery
- instrument based on
- forgery, **12:210 [CC 375]**

Production

- foreign proceedings, **40:152, 40:159 [CEA 46, 50(2)]**
- treason and high treason, **27:85, 27:87 [CC 603, 604]**

Proof of document

- banking record, **40:85 [CEA 29]**
- business record, **40:90 [CEA 30]**
- certified copy as proof, **40:73, 40:74, 40:77 [CEA 21(c), 22(1)(c), 24]**
- copies or extracts, **40:105 [CEA 33]**
- Gazette copy as proof, **40:72, 40:73, 40:74, 40:104 [CEA 20(b), 21(a), 22(2), 32(2)]**
- government appointment, **40:73, 40:74 [CEA 21, 22]**
- Imperial document, **40:72 [CEA 20]**

DOCUMENT—Cont'd

Proof of document—Cont'd

- judicial record, **40:75 [CEA 23]**
- photograph as proof, **40:93 [CEA 31]**
- Queen's Printer copies, **40:71, 40:71, 40:72, 40:73 [CEA 19, (c), 20(c), 21(b)]**
- statute not in derogation of existing law, **40:108 [CEA 36]**
- Proof of service, **2:8,2:9 [CC 4(6) to (7)]**

DOCUMENT OF TITLE

- Destroying, etc., **12:72 [CC 340]**
- “Document of title to goods,” **1:3 [CC 2]**
- “Document of title to lands,” **1:3 [CC 2]**
- Fraudulent concealment, **13:36 [CC 385]**
- Fraudulent registration of title, **13:38 [CC 386]**
- Pledge or lien given by agent, **12:36 [CC 325]**
- Valuation, **2:2, 2:2 [CC 4(2)(a), (b)]**

DOUBLE JEOPARDY

- See also PLEAS PERMITTED, AUTREFOIS ACQUIT/ CONVICT, RES JUDICATA
- More than one act, **2:32 [CC 12]**
- Rights, **41:63 [CA 11(h)]**

DRIVING OFFENCES

- Accident, failure to stop after, **11:16 [CC 320.16]**
- Aggravating factors for sentencing, **11:23 [CC 320.22]**
- Analyst, definition of, **11:1 [CC 320.11]**

DRIVING OFFENCES—Cont'd

- Approved container, definition of, **11:1** [CC 320.11]
- Approved drug screening equipment, definition of, **11:1** [CC 320.11]
- Approved instrument
 - definition of, **11:1** [CC 320.11]
 - printouts from, **11:34** [CC 320.33]
- Approved screening device, definition of, **11:1** [CC 320.11]
- Attorney General
 - approvals of, **11:40** [CC 320.39]
 - designations of, **11:41** [CC 320.4]
- Blood samples, **11:29, 11:32** [CC 320.28, 320.31]
- Blood tests, **11:31** [CC 320.3]
- Bodily harm, punishment if, **11:21** [CC 320.2]
- Bodily substances
 - disclosure of results, unauthorized, **11:37** [CC 320.36]
 - samples of, **11:29, 11:32** [CC 320.28, 320.31]
 - uses, unauthorized, **11:37** [CC 320.36]
- Breath samples, **11:29, 11:32** [CC 320.28, 320.31]
- Certificates, **11:33** [CC 320.32]
- Conveyance, definition of, **11:1** [CC 320.11]
- Dangerous operation, **11:3** [CC 320.13]
- Death, punishment if, **11:22** [CC 320.21]
- Declaration, **11:2** [CC 320.12]
- Definitions, **11:1** [CC 320.11]
- Delay of sentencing, **11:24** [CC 320.23]

DRIVING OFFENCES—Cont'd

- Demand, failure/refusal to comply with, **11:15** [CC 320.15]
- Disclosure of information, **11:35** [CC 320.34]
- Drug, types of, **11:29** [CC 320.28(5)]
- Evaluating officer, definition of, **11:1** [CC 320.11]
- Evidentiary matters, **11:32 to 11:36** [CC 320.31 to 320.35]
- Fines, minimum, **11:20** [CC 320.19(3), (4)]
- Flight from peace officer, **11:18** [CC 320.17]
- Hybrid offences, **11:20** [CC 320.19(1), (5)]
- Investigative matters, **11:28 to 11:31** [CC 320.27 to 320.3]
- Offences, **11:3 to 11:19** [CC 320.13 to 320.18]
- Offences, earlier or later, **11:27** [CC 320.26]
- Operate, definition of, **11:1** [CC 320.11]
- Operation, presumption of, **11:36** [CC 320.35]
- Operation while impaired, **11:14** [CC 320.14]
- Operation while prohibited, **11:19** [CC 320.18]
- Opinion evidence, **11:32** [CC 320.31(5)]
- Presumptions, **11:32, 11:36** [CC 320.31(4), 320.35, (6)]
- Printouts from approved instruments, **11:34** [CC 320.33]
- Prohibition orders, **11:25** [CC 320.24]
- Punishment, **11:20 to 11:26** [CC 320.19 to 320.25]

DRIVING OFFENCES—Cont'd

- Qualified medical practitioner,
definition of, **11:1 [CC 320.11]**
- Qualified technician, definition
of, **11:1 [CC 320.11]**
- Recognition, **11:2 [CC 320.12]**
- Refusal to take sample, **11:38
[CC 320.37]**
- Regulations, **11:39 [CC 320.38]**
- Samples as evidence, **11:32 [CC 320.31]**
- Samples of breath or blood or
bodily substances, taking,
11:29 [CC 320.28]
- Statements, admissibility of,
11:32 [CC 320.31(9)]
- Stays pending appeals, **11:26
[CC 320.25]**
- Summary conviction, **11:20 [CC 320.19(2)]**
- Testing blood, **11:31 [CC 320.3]**
- Testing for presence of alcohol
or drug, **11:28 [CC 320.27]**
- Vessel, definition of, **11:1 [CC 320.11]**
- Warrants to obtain samples,
11:30 [CC 320.29]

DRUG IMPAIRED DRIVING

See **DRIVING OFFENCES**

DRUG OFFENCES

- See also **CONTROLLED
DRUGS AND SUB-
STANCES ACT,
PROCEEDS OF CRIME,
ILLICIT DRUG USE,
INSTRUMENTS AND
LITERATURE FOR**
- Absolute jurisdiction of PCJ,
25:2 [CC 553(c)(x) to (xi)]
- Stupefying drug
administering to aid commis-
sion of offence, **10:127
[CC 246]**

DUAL STATUS OFFENDERS

- See also **DISPOSITIONS AND
DISPOSITION HEAR-
INGS (MENTAL DISOR-
DER), REVIEW BOARDS**
- “Dual status offender,” **28:1
[CC 672.1(1)]**
- Placement decision by Review
Board, **28:72 [CC 672.68(2)]**
- detention as part of term,
28:75 [CC 672.71]
- effect of, **28:72 [CC 672.68(5)]**
- factors considered, **28:72 [CC 672.68(3)]**
- notice of discharge, **28:74
[CC 672.7]**
- review, **28:73 [CC 672.69(2),
(3)]**
- time for, **28:72 [CC 672.68(4)]**
- Priority
 - custodial disposition, **28:71
[CC 672.67(2)]**
 - probation order, **28:75 [CC 672.71(2)]**
 - sentence of imprisonment,
28:71 [CC 672.67(1)]
- Review of placement decision
by appeal to court of appeal,
28:76 to 28:83 [CC 672.72 to 672.78]
- by Review Board, **28:73 [CC 672.69]**

DUELLING

- Consent not affecting liability,
2:36 [CC 14]

DURESS

See **COMPULSION OF**

DWELLING-HOUSE

- Arrest, powers to enter, to carry
out
authority to enter dwelling

DWELLING-HOUSE—Cont'd

- Arrest, powers to enter, to carry out—Cont'd
 - without warrant, **21:124** [CC 529.3]
- authorization to enter dwelling-house, **21:119, 21:122, 21:125** [CC 529, 529.2, 529.4]
- warrant to enter dwelling-house, **21:119, 21:120, 21:122, 21:124, 21:125, 39:33** [CC 529, 529.1, 529.2, 529.4, 529.5, Form 7.1]
- Defence of dwelling, **3:25** [CC 63(3)]
- “Dwelling-house,” **1:3** [CC 2]
- Exceptions to offences
 - mischief, **14:12** [CC 430(7)]
 - sabotage, **3:9** [CC 52(4)]
 - unlawful assembly, **3:25** [CC 63(3)]
- Forfeiture
 - criteria/factors to be considered, **4:14, 20:184, 44:47** [CC 83.14(9), 490.41(4), CDA 19.1(4)]
 - non-forfeiture of property, **4:14, 20:184, 44:47** [CC 83.14(6), 490.41(3), CDA 19.1(3)]
 - notice requirements, **4:14, 20:184, 44:47** [CC 83.14(7), 490.41(1) to (2), CDA 19.1(1) to (2)]
- Home invasion, sentencing considerations, **12:113** [CC 348.1]
- Offences
 - breaking and entering, **12:100** [CC 348]
 - disturbing occupants, **7:99** [CC 175]

DWELLING-HOUSE—Cont'd

- Offences—Cont'd
 - entering with intent, **12:114, 12:119** [CC 349, 350]
 - occupant damaging, **14:2, 14:53** [CC 429(2), 441]
 - possession of house-breaking instruments, **12:125** [CC 351(1)]
 - sentencing, **12:113** [CC 348.1]
 - trespassing at night, **7:112** [CC 177]
 - unlawfully in, **12:114** [CC 349]
 - watching or besetting, **13:102** [CC 423]

ELDER ABUSE

- Aggravating factor in sentencing, **34:19** [CC 718.2(a)(iii.1)]

ELECTION (MODE OF TRIAL)

- Before judge of Nunavut Court of Justice, **25:6, 25:14** [CC 554(2), 555.1]
- holding preliminary, **25:14, 25:44** [CC 555.1, 567.1]
- trial by judge alone (after preliminary inquiry), **23:9, 25:19, 25:41** [CC 536.1(2), 558, 566.1(2)]
- trial by judge and jury, **25:14, 25:33** [CC 555.1(2), (3), (5), 565]
- trial by judge of Nunavut Court of Justice, **23:9, 25:14** [CC 536.1(2), 555.1]
- Before justice, **23:5, 23:9** [CC 536(2) to (4.3), 536.1(2) to (4.2)]
- endorsement on information, **23:5, 23:9** [CC 536(4.1), 536.1(4)]

ELECTION (MODE OF TRIAL)

- Cont'd
- Before justice, 23:5, 23:9 [CC 536(2) to (4.3), 536.1(2) to (4.2)]—Cont'd
 - more than one accused, 25:42, 25:44 [CC 567, 567.1]
- putting accused to election, 23:7, 23:9 [CC 536(2), 536.1(2)]
- request for preliminary inquiry, 23:5, 23:9 [CC 536(4) to (4.3), 536.1(3) to 4.2)]
- trial by judge alone, 23:5, 23:9, 25:19, 25:34, 25:41 [CC 536(4), 536.1(4.1), 558, 566(2), 566.1(2)]
- trial by judge and jury, 23:5, 23:9, 25:33, [CC 536(2), (4) to (4.2), 536.1(2) to (4.1), 565]
- trial by provincial court judge, 25:11, 25:14, 25:33 [CC 555, 555.1, 565]
- Before provincial court judge, 25:6, 25:11 [CC 554, 555]
- failure to elect, 25:33 [CC 565]
- more than one accused, 25:11, 25:42 [CC 555, 567]
- trial by judge alone, 23:5, 25:19, 25:34 [CC 536(2), 558, 566(2)]
- trial by judge and jury, 25:11, 25:14, 25:33 [CC 555(2), 555.1(2), (3), (5), 565]
- trial by provincial court judge, 23:5, 25:6, 25:33 [CC 536(2), 554, 555, 565]
- In writing, 23:10 [CC 536.2]
- Re-election
 - general rules, 23:10, 25:23, 29:124 [CC 536.2, 561, 695(2), (3)]

ELECTION (MODE OF TRIAL)

- Cont'd
- Re-election—Cont'd
 - in writing, 23:10 [CC 536.2]
 - Nunavut, 25:25 [CC 561.1]
 - on election of trial by judge alone, 25:23, 25:25, 25:30, 25:31 [CC 561, 561.1, 563, 563.1]
 - on election of trial by judge of Nunavut Court of Justice, 25:25 [CC 561.1]
 - on election of trial by jury, 25:19, 25:23, 25:25, 25:34, 25:41 [CC 558, 561, 561.1, 566, 566.1]
 - on election of trial by provincial court judge, 25:23 [CC 561(2)]
 - on re-trial ordered by SCC, 29:124 [CC 695(2), (3)]
- Trial by jury
 - Attorney General requiring, 25:45, 25:49 [CC 568, 569]
 - deemed election, 25:33 [CC 565]
 - waiver upon failure to attend, 27:67 [CC 598]
- Written, 23:10 [CC 536.2]
- Young persons, 42:83 [YCJA 67]

ELECTION OFFENCES

- Contractor subscribing to election fund, 6:13 [CC 121(2)]
- disability on conviction, 34:200 [CC 750(3), (4)]
- Destroying or defacing document, 12:213 [CC 377(1)(c), (d)]

ELECTRICITY

- Theft, 12:38 [CC 326]

ELECTRONIC DOCUMENTS

See DOCUMENT

EMPLOYMENT

Duty of persons directing work,
10:12 [CC 217.1]

Employee's liability for fraud
relating to public stores,
13:94 [CC 418(2)]

Falsification of record, 13:57
[CC 398]

Intimidation to prevent union
membership, 13:111 [CC
425]

Refusal to employ union
members, 13:111 [CC 425]

Retaliation against employees,
13:114 [CC 425.1]

Secret commission, 13:115 [CC
426]

Threats against employees,
13:114 [CC 425.1]

Whistle-blower protection,
13:114 [CC 425.1]

Work stoppage
and criminal breach of
contract, 13:100 [CC
422(2)]

and mischief, 14:11 [CC
430(6)]

and sabotage, 3:9 [CC 52(3)]
not conspiracy, 18:22 [CC
467(1)]

ENCUMBRANCE

See also DOCUMENT OF
TITLE

Fraudulent concealment, 13:36
[CC 385(1)(a)]

Fraudulent registration, 13:38
[CC 386]

Fraudulent sale of real property,
13:39 [CC 387]

ENDANGERING LIFE

See also ASSAULT; SEXUAL
ASSAULT

ENDANGERING LIFE—Cont'd

Abandoning child, 10:13 [CC
218]

Assault endangering life, 10:246
[CC 268(1)]

By omission where duty to act,
10:9, 10:12 [CC 217,
217.1]

Duty in medical or surgical treat-
ment, 10:7 [CC 216]

Duty of persons directing work,
10:12 [CC 217.1]

Sexual assault endangering life,
10:246 [CC 268(1)]

ENDORSEMENT

Authorization, 8:44 [CC
188.1(2)]

Indictment
amendment, 27:77 [CC 601]

Offences
false name, 12:208 [CC 374]
obtaining by false pretence,
12:179 [CC 363]

Recognizance, 36:3, 36:6, 36:12,
36:12 [CC 764(4), 766(3),
770, (4)]

Warrant
DNA warrant, 20:76, 20:78
[CC 487.03, 487.05]
for arrest, 21:118 [CC 528]
general warrant, 20:47 [CC
487.01]

number recorder, 20:198 [CC
492.2]
of absconding accused,
27:137 [CC 632]

search warrant, 20:26, 27:137
[CC 487, 632]

tracking, 19:37 [CC 482.1]

ENEMY

See ALIEN

ENFORCEMENT

See also EXECUTION OF PROCESS

Fines, **34:106, 34:108** [CC 734.6, 734.7]

Order for compensation, **34:121, 34:129** [CC 738, 741]

Recovery of penalties, **34:106** [CC 734.6]
fines on organizations, **34:113** [CC 735]

Use of force in enforcement, **2:88** [CC 25]
excessive, **2:100** [CC 26]

ENGLISH CRIMINAL LAW

See also DEFENCES (COMMON LAW)

Abolition of offences, **2:23** [CC 9(b)]

Application of, **2:21, 2:22** [CC 8(2), (3)]

ENTRAPMENT

Generally, **2:19** [CC 8]

EQUALITY

Affirmative action programs, CA **6(4), 15(2)** [CA 6(4), 15(2)]

Age, **41:80, 41:79** [CA 15(1), (2)]

Colour, **41:80, 41:79** [CA 15(1), (2)]

Equality before and under law, **41:80** [CA 15(1)]

Fundamental freedoms for everyone, **41:6** [CA 2]

Mental or physical disability, **41:80, 41:79** [CA 15(1), (2)]

Military, **41:63** [CA 11]

Mobility rights
affirmative action programs, **41:19** [CA 6(4)]

EQUALITY—Cont'd

Mobility rights—Cont'd
limitations on, **41:19** [CA 6(3)]

rights to move and gain livelihood, **41:21** [CA 6(2)]

National or ethnic origins, **41:80, 41:79** [CA 15(1), (2)]

Postponement of rights under Charter, **41:101** [CA 32(2)]

Race, **41:80, 41:94, 41:94** [CA 15(1), 25, (2)]

Religion, **41:80, 41:79** [CA 15(1), (2)]

Rights guaranteed equally to both sexes, **41:97** [CA 28]

Right to equal protection and equal benefit of the law, **41:80** [CA 15(1)]

Sex, **41:80, 41:79** [CA 15(1), (2)]

ESCAPE AND RESCUE

See also UNLAWFULLY AT LARGE

Assisting escape, **6:95, 6:97** [CC 146, 147(a)]

Assisting prisoner of war, **6:100** [CC 148]

Escape from lawful custody, **6:83** [CC 145(1)]

Failure to appear, **6:82** [CC 145]

Failure to comply with process, **6:82** [CC 145]

Permitting escape, **6:95, 6:97** [CC 146(a), 147]

Prison breach, **6:80** [CC 144]

Rescue from lawful custody, **6:97** [CC 147(a)]

Sentence for escape, **6:101** [CC 149]

“escape,” **6:101** [CC 149(3)]

Unlawfully at large, **6:83** [CC 145(1)]

EVIDENCE

See SPECIFIC TOPICS

EXAMINER OF COUNTERFEIT

Certificate, **15:29** [CC 461(2),
(3)]

EXCAVATION, DUTY TO SAFEGUARD

Generally, **10:218** [CC 263(2),
(3)]

EXCHEQUER BILL

Defined, **12:1** [CC 321]

Making or possessing paper,
12:200 [CC 369(a)]

EXCLUSION OF PUBLIC

See also PUBLICITY; SEXUAL
ACTIVITY EVIDENCE

Application, **20:8** [CC 486(1.1)]

Child witnesses, protection of
accused not to cross-examine,
20:17 [CC 486.3]

support person, **20:15** [CC
486.1]

Criminal organization and terror-
ism offence cases

obstructed view testimony,
20:16 [CC 486.2(4) to
(6)]

testimony outside courtroom,
20:16 [CC 486.2(4) to
(6)]

General rule of openness, **20:9**
[CC 486(1)]

adverse inference, whether,
20:14 [CC 486(4)]

general exceptions, **20:9** [CC
486(1)]

sexual offence exception,
20:12 [CC 486(3)]

non-disclosure of witness's
identity, **20:19** [CC
486.31]

EXCLUSION OF PUBLIC

—Cont'd

Obstructed view testimony,
20:16 [CC 486.2(4) to (6)]

Protecting identity
complainant, **20:20, 20:22,**
42:131, 42:132 [CC
486.4, 486.5, YCJA 111,
112]

justice system participant,
20:22 [CC 486.5]

witness, **20:22, 42:131,**
42:132 [CC 486.5,
YCJA 111, 112]

witness under 18, **20:8,**
42:131, 42:132 [CC
486(3) to (4.9), YCJA
111, 112]

young person, **42:82, 42:92,**
42:129, 42:132 [YCJA
65, 75, 110, 112]

Sequestered testimony, **20:16**
[CC 486.2]

Testimony outside court room
where person under 18,
20:16 [CC 486.2]

EXCUSE

See DEFENCES

EXECUTION OF PROCESS

See also ARREST; ENDORSE-
MENT: SEARCH AND
SEIZURE; SUBPOENA

Authorization, **8:44** [CC 188.1]

Duty to produce process, **2:107**
[CC 29(1)]

Execution justified notwithstand-
ing defect, **2:90** [CC 25(2)]

Execution on holiday, **2:62** [CC
20]

Misconduct in execution, **6:33**
[CC 128]

Obstruction, **6:34** [CC 129(c)]

EXECUTION OF PROCESS

—Cont'd

- Process issued by court of appeal, **29:47, 38:137 [CC 683(4), 839(2)]**
- Use of force, **2:88 [CC 25]**
excessive, **2:100 [CC 26]**

EXHIBITS

- Detention of things seized, **20:129 [CC 490]**
- Inspection, **27:85 [CC 603]**
- Power of court of appeal, **29:42, 38:137 [CC 683(1)(a), 839(2)]**
- Release for testing, **27:89 [CC 605(1)]**
- Rules of court, **19:35 [CC 482(2)]**

EXPERT EVIDENCE

- See also PHYSICIAN
- Disclosure and production
 - adjournment to address, **27:243 [CC 657.3(4)(a), (5)(a)]**
 - notice of intention to call witness, **27:243 [CC 657.3(3)(a)]**
 - particulars, order for, **27:243 [CC 657.3(3)]**
 - production of opinion or report, **27:243, 41:22 [CC 657.3, CA 7]**
 - remedies for incomplete or non-disclosure, **27:243 [CC 657.3(4), (5)]**
 - use of material by prosecution, **27:243 [CC 657.3(6)]**
- Limit on number of witnesses, **40:28 [CEA 7]**
- Notice of intention to call witness, **27:243 [CC 657.3(3)(a)]**

EXPLORATION

- Taking specimens of ore or minerals, **12:56 [CC 333]**

EXPLOSIVES

- See also FIRE; FIREARMS
- Causing death, **3:53 [CC 80]**
- Causing injury with intent, **3:54 [CC 81]**
- Delivery to specified government/public facilities, **14:21 [CC 431.2]**
- definitions, **14:21 [CC 431.2(1)]**
- DNA order on conviction or discharge, **20:77, 20:81 [CC 487.04, 487.051]**
- exception, armed forces, **14:21 [CC 431.2(3)]**
- offence, **14:21 [CC 431.2(2)]**
- offence outside Canada, **2:16 [CC 7(3.72), (5) to (7)]**
- Detonation in specified government/public facilities, **14:21 [CC 431.2]**
- definitions, **14:21 [CC 431.2(1)]**
- DNA order on conviction or discharge, **20:77, 20:81 [CC 487.04, 487.051]**
- exception, armed forces, **14:21 [CC 431.2(3)]**
- offence, **14:21 [CC 431.2(2)]**
- offence outside Canada, **2:16 [CC 7(3.72), (5) to (7)]**
- Discharge in specified government/public facilities, **14:21 [CC 431.2]**
- definitions, **14:21 [CC 431.2(1)]**
- DNA order on conviction or discharge, **20:77, 20:81 [CC 487.04, 487.051]**
- exception, armed forces, **14:21 [CC 431.2(3)]**

EXPLOSIVES—Cont'd

- Discharge in specified government/public facilities, **14:21** [CC 431.2]
 - Cont'd
 - offence, **14:21** [CC 431.2(2)]
 - offence outside Canada, **2:16** [CC 7(3.72), (5) to (7)]
- Duty of care, **3:51, 3:53** [CC 79, 80]
- “Explosive substance,” **1:3** [CC 2]
- Placement in specified government/public facilities, **14:21** [CC 431.2]
 - definitions, **14:21** [CC 431.2(1)]
 - DNA order on conviction or discharge, **20:77, 20:81** [CC 487.04, 487.051]
 - exception, armed forces, **14:21** [CC 431.2(3)]
 - offence, **14:21** [CC 431.2(2)]
 - offence outside Canada, **2:16** [CC 7(3.72), (5) to (7)]
- Possession while prohibited, **3:56** [CC 82]
 - possession in association with criminal organization, **3:58** [CC 82(2)]
 - sentences to be served consecutively, **3:59** [CC 82.1]
- Taking on board aircraft, **3:48** [CC 78]
- Using, **3:54** [CC 81]
 - DNA order on conviction or discharge, **20:77, 20:81** [CC 487.04, 487.051]
 - in association with criminal organization, **10:67** [CC 231(6.1)]

EXPORTING

- Counterfeit money, **15:10** [CC 452(b)]

EXPORTING—Cont'd

- False representation to obtain carriage, **13:68** [CC 401(1)]
- Proceeds of property obtained by crime
 - in rem prohibition, **12:154** [CC 355.3]
- Property obtained by crime
 - in rem prohibition, **12:154** [CC 355.3]

EXPOSURE

- See also INDECENCY;
OBSCENITY
- Indecent act, **7:91** [CC 173(1)]
- Nudity, **7:95** [CC 174]
- Of sexual organs
 - age-related exceptions to consent, **7:3** [CC 150.1(2) to (4), (6)]
 - no prosecution of 12 or 13 year old, **7:3** [CC 150.1(3)]
 - to child under 16, **7:92** [CC 173(2)]

EXPRESSION

- Freedom of, **41:6** [CA 2(b)]

EXTENSION OF TIME

- See also APPEAL
- Generally, **38:137** [CC 839(2)]
- Application for leave, **29:26** [CC 678(2)]
- Dangerous offender assessment application, **35:6, 35:13** [CC 752.1(3), 753.01(3)]

EXTORTION

- Generally, **12:92** [CC 346]
- Extortion by libel, **10:378** [CC 302]
- Punishment/sentence
 - general, **12:92** [CC 346(1.1)(b)]

EXTORTION—Cont’d

- Punishment/sentence—Cont’d
 - where firearm used, **12:92** [CC 346]
 - where home invasion involved, **12:113** [CC 348.1]

EXTRAORDINARY REMEDIES

- Appeal, **37:27** [CC 784]
- Application of Code provisions, **37:1** [CC 774]
- Certiorari
 - appeal, **37:27** [CC 784]
 - availability, **37:10, 37:17, 37:23** [CC 776, 779, 782]
- Effect of dismissal of application, **37:19** [CC 780]
- appeal, **37:27** [CC 784]
- no re-application without fresh evidence, **37:30** [CC 784(3)]
- order for further detention, **37:7** [CC 775]
- review of warrant of commitment, **37:23** [CC 782]
- want of proof of enactment, **37:21** [CC 781]
- Order for further detention, **37:21** [CC 781]
- Protection of judicial officials, **37:25** [CC 783]
- Review of conviction or order, **37:13, 37:16** [CC 777, 778]
- Rules of court, **19:35** [CC 482(3)(c)]
- Want of proof of enactment not ground, **37:21** [CC 781]

EXTRA-PROVINCIAL OFFENCES

- Jurisdiction of court, **19:27** [CC 478]
- aircraft offences, **2:16** [CC 7]

EXTRA-PROVINCIAL

OFFENCES—Cont’d

- Jurisdiction of court, **19:27** [CC 478]—Cont’d
 - breach of probation order, **34:90, 34:91** [CC 733, 733.1]
 - guilty plea in court of criminal jurisdiction, **19:27** [CC 478(3)]
 - newspaper libel, **19:27** [CC 478(2)]

FABRICATING EVIDENCE

- Offence, **6:62** [CC 137]
- Order for particulars, **27:43** [CC 587]
- Sufficiency of counts, **27:40** [CC 585]

FAILURE TO APPEAR (ATTEND)

- Appearance notice, under, **21:71** [CC 512.2]
- For ICA purposes, **6:85, 6:86** [CC 145(3), (4)]
- Non-compliance with process, **6:84** [CC 145(2)]
- Section 524, under, **21:72** [CC 512.3]
- Summons, under, **21:70** [CC 512.1]
- Undertaking, under, **21:71** [CC 512.2]

FAILURE TO COMPLY

- Generally, **6:85, 6:86, 6:87** [CC 145(3), (4), (5)]

FAILURE TO TESTIFY (COMMENT)

- Generally, **40:12** [CEA 4(6)]

FALSE ALARM OF FIRE

- Defence, **14:4** [CC 429(2)]
- Offence, **14:41** [CC 437]

FALSE INFORMATION

Endangering safety of aircraft,
3:47 [CC 77(e)]

FALSE MESSAGES

See TELEPHONE

FALSE OATH

See FALSE STATEMENT;
PERJURY

FALSE PRETENCE

See also FRAUD

False financial statement, **12:169**
[CC 362(1)(c), (d)]

punishment, **12:172 [CC**
362(3)]

Jurisdiction of provincial court
judge, **25:2, 25:13 [CC**
553, 555(2)]

Obtaining credit, **12:169 [CC**
362(1)(b)]

punishment, **12:172 [CC**
362(3)]

Obtaining execution of valuable
security, **12:179 [CC 363]**
“valuable security,” **1:3 [CC**
2]

Obtaining food or lodging,
12:182 [CC 364(1)]

presumption of fraud, **12:181**
[CC 364(2)]

Obtaining goods
presumption from dishonoured
cheque, **12:173 [CC**
362(4)]

Obtaining property, **10:411,**
12:169 [CC 320(1)(a),
362(1)(a)]

punishment, **12:171 [CC 362]**

Order for particulars, **27:43 [CC**
587(1)(b)]

FALSE PROSECUTION

See also PERJURY

FALSE PROSECUTION

—Cont’d

Conspiracy to prosecute falsely,
18:8 [CC 465(1)(b)]

Public mischief, **6:71 [CC 140]**

FALSE PROSPECTUS

Generally, **13:25, 13:60 [CC**
380.1, 400]

FALSE STATEMENT

See also AFFIDAVIT; FALSE
PRETENCE; FALSIFICA-
TION; MISCHIEF; OATH;
PERJURY

Acknowledgment in false name,
13:77 [CC 405]

Books and documents, **13:55**
[CC 397]

By agent, **13:115 [CC 426]**

Employment record, **13:57 [CC**
398]

Extra-judicial proceedings, **6:48,**
6:56 [CC 131, 134]

Indictment

particulars, **27:43 [CC 587]**

sufficiency of counts, **27:40**
[CC 585]

Passing off, **13:82 [CC 408]**

Prospectus or statement of
account, **13:60 [CC 400]**

Receipt under Bank Act, **13:43**
[CC 390]

Registration of title, **13:38 [CC**
386]

To induce police investigation,
6:72 [CC 140(1)]

To obtain carriage, **13:67 [CC**
401]

FALSIFICATION

See also FALSE STATEMENT

Book or document, **13:55 [CC**
397]

INDEX

FALSIFICATION—Cont'd

- Employment record, **13:57** [CC **398**]
- Pedigree, **13:37** [CC **385(1)**]
- Register, **12:213** [CC **377**]
 - extract, **12:215** [CC **378**]
- Trademark, **13:79, 13:80** [CC **406, 407**]
 - forfeiture, **13:88** [CC **412(2)**]
 - punishment, **13:88** [CC **412(1)**]
- Valuable security, **13:55** [CC **397**]
 - “valuable security,” **1:3** [CC **2**]

FARE

- Failure to collect, **13:49** [CC **393**]
 - jurisdiction of provincial court judge, **25:2** [CC **553(c)(viii)**]
- Slug or token, **15:14** [CC **454**]

FEES AND ALLOWANCES

- Summary conviction proceedings, **38:142** [CC **840**]

FIERI FACIAS

- Writ on forfeiture of recognizance, **36:14** [CC **771(3.1)**]
 - deficiency, **36:19** [CC **773**]
 - levy, **36:18** [CC **772**]

FINANCIAL INSTITUTION

- See **BANK**

FINANCIAL STATEMENT

- False pretence, **12:169** [CC **362(1)(c), (d)**]
 - punishment, **12:172** [CC **362(3)**]
- False statement, **13:60** [CC **400**]

FINE

- See also **PUNISHMENT; SENTENCE**
- And other punishment, **34:97** [CC **734(4), (5)**]
- Default of payment
 - imprisonment in default, **34:35, 34:40, 34:97, 34:112, 38:7** [CC **718.3, 719, 734, 734.8, 787**]
- Discretion of court, **34:35, 34:108** [CC **718.3, 734.7**]
- Disposition of proceeds, **34:104** [CC **734.4**]
- Fine option program, **34:116** [CC **736**]
- In addition to other punishment, **34:98** [CC **734(1)**]
- In lieu of forfeiture order, **17:22, 17:19** [CC **462.37(3), (4)**]
- In lieu of imprisonment, **34:98** [CC **734(1)**]
- Licences, permits, etc., **34:105** [CC **734.5**]
- Organizational accused, **34:113** [CC **735**]
- Partial payment, **34:112** [CC **734.8**]
- Payment not waiver of appeal, **38:101** [CC **820(1)**]
- Recovery
 - fine on organization, **34:113** [CC **735**]
- Remission, **34:197** [CC **748.1**]
- Suspending payment pending appeal, **29:49, 29:42, 29:50** [CC **683(5), (5.1), (6)**]
- Time for payment, **34:101** [CC **734.1**]
- Victim fine surcharge (VFS), **34:117, 42:55, 42:72, 42:73** [CC **737, YCJA 42(2)(d), 53(1), 54(2)**]

FINE—Cont'd

Young offenders, **42:55, 42:69, 42:72, 42:73, 43:55** [YCJA 42(2)(d), 50(2), 53, 54(1) to (3), (10), YOA 20(1)(b)]

FINGERPRINTING AND FINGERPRINTS

Failure to appear, **6:86, 6:87** [CC 145(4), (5)]

Proof of
previous convictions, **27:268** [CC 667]

Requirement to appear, **21:59** [CC 509(5)]

Warrant to obtain fingerprints, **20:109** [CC 487.092]

Young persons, **42:133** [YCJA 113]

FIRE

Arson, **14:23 to 14:36** [CC 433 to 436]

colour of right as defence, **14:4** [CC 429(2)]

presumption of intent to defraud, **14:35** [CC 435]

By negligence, **14:37** [CC 436(1)]

defence, **14:4** [CC 429(2)]

inference from non-compliance with prevention laws, **14:38** [CC 436(2)]

organizational liability for, **2:77** [CC 22.1]

Damage to property
not wholly owned, **14:30** [CC 434]

wholly or partially owned, **14:33** [CC 434.1]

Defence of colour of right, **14:4** [CC 429(2)]

Disregard for human life, **14:23** [CC 433]

FIRE—Cont'd

False alarm of fire, **14:41** [CC 437]

defence, **14:4** [CC 429(2)]

For fraudulent purpose, **14:35** [CC 435(1)]

inference from insurance, **14:35** [CC 435(2)]

Possession of incendiary material, device or explosive substance, **14:40** [CC 436.1]

explosive substance defined, **1:3** [CC 2]

FIREARMS

Access, orders re limitations on, **5:79.20** [CC 117.0101]

Agreements with provinces, **47:93** [FA 95]

Ammunition

authorized transfer to individuals, **47:29** [FA 25]

Amnesty, **5:97** [CC 117.14]

Appeal

application of Part XXVII of Criminal Code, **47:72** [FA 81]

Nunavut, **47:67** [FA 76.1]

order, **5:87, 5:94** [CC 117.11(7) to (9), 117.05(7) to (9)]

prohibition orders, **5:67** [CC 111(8) to (10)]

to Court of Appeal, **47:71** [FA 80]

to superior court, **47:68, 47:69, 47:70** [FA 77, 78, 79]

Authorization to carry

application, **47:44, 47:45** [FA 54, 55]

as evidence, **5:95** [CC 117.12]
conditions, **47:48** [FA 58]

FIREARMS—Cont’d

Authorization to carry—Cont’d
 different registered owner,
 47:49 [FA 59]
 form, **47:51 [FA 61]**
 general, **47:47, 47:47.50 [FA 57, 57.1]**
 geographical extent, **47:53 [FA 63]**
 refusal to issue, **47:58 [FA 68]**
 renewal, **47:57 [FA 67]**
 restoration of, **5:88 [CC 117.06(2)]**
 revocation, **5:75, 5:85, 47:60 [CC 116, 117.04(4), FA 70]**
 term, **47:55 [FA 65]**
 transferability, **47:52 [FA 62]**
 Authorization to transfer
 ammunition to individuals,
 47:29 [FA 25]
 application, **47:44, 47:45 [FA 54, 55]**
 as evidence, **5:95 [CC 117.12]**
 Chief Firearms Officer, **47:31 [FA 27]**
 definition of “transfer,” **47:23 [FA 21]**
 definitions re, **1:44 [CC 2.1]**
 firearms, **47:25, 47:27, 47:30, 47:35 [FA 23, 23.2, 26, 31]**
 form, **47:51 [FA 61]**
 gun collectors, to, **47:34 [FA 30]**
 mail-order transfers, **47:36 [FA 32]**
 mental disorder and, **47:24 [FA 22]**
 permitted purposes, **47:32, 47:34 [FA 28, 30]**
 prohibited ammunition/
 devices/weapons, **47:28, 47:30 [FA 24, 26(2)]**

FIREARMS—Cont’d

Authorization to transfer
 —Cont’d
 Registrar, **47:35 [FA 31]**
 restoration, **5:88 [CC 117.06(2)]**
 restricted firearms or
 handguns, **47:32, 47:34 [FA 28, 30]**
 restricted weapons, **47:30 [FA 26(2)]**
 revocation, **5:75, 5:85, 47:60 [CC 116, 117.04(4), FA 70]**
 term, **47:55 [FA 65(1) to (3)]**
 Authorization to transport. See
 also authorization to carry
 refusal to issue, **48:58, 47:62, 47:64 to 47:66 [FA 68, 72, 74 to 76]**
 revocation, **5:75, 5:85, 47:60, 47:62, 47:64 to 47:66 [CC 116, 117.04(4), FA 70, 72, 74 to 76]**
 Certificate of analyst, **5:96 [CC 117.13]**
 Chief Firearms Officer
 authorizing transfer, **47:27, 47:31, 47:32 [FA 23.2, 27, 28]**
 records of, **47:84, 47:88 [FA 87, 90.1]**
 reporting, loss, finding, theft,
 and destruction of fire-
 arms to, **47:85 [FA 88]**
 Collectors, **47:34 [FA 30]**
 Commissioner of Firearms
 appointment, **47:73 [FA 81.1]**
 compensation, **47:77 [FA 81.5]**
 delegation by federal minister
 to, **47:75 [FA 81.3]**
 duties, **47:74, 47:75 [FA 81.2, 81.3]**

FIREARMS—Cont'd

- Commissioner of Firearms
 - Cont'd
 - functions, **47:74, 47:75 [FA 81.2, 81.3]**
 - incapacity, **47:76 [FA 81.4]**
 - information to be submitted to, **47:92 [FA 94]**
 - powers, **47:74, 47:75 [FA 81.2, 81.3]**
 - report to federal Minister, **47:91, 47:92 [FA 93, 94]**
 - superannuation, **47:77 [FA 81.5]**
 - vacancy, **47:76 [FA 81.4]**
- Delegation, **47:96, 47:97, 47:98 [FA 98, 99, 100]**
- Electronic filing, **47:89 [FA 91]**
- Eligibility to hold licences
 - businesses, **47:10 [FA 9]**
 - completion of safety course, **47:8 [FA 7]**
 - court orders, **47:7 [FA 6]**
 - international and
 - interprovincial carriers, **47:11 [FA 10]**
 - minors, **47:9 [FA 8]**
 - museums, **47:9 [FA 8(6)]**
 - public safety, **47:6 [FA 5]**
- Exempted persons
 - armed forces, **5:91 [CC 117.08]**
 - employees, **5:92 [CC 117.09]**
 - public officer, **5:89, 5:91 [CC 117.07, 117.08]**
- Exemptions, **47:95 [FA 97]**
- Exportation and importation
 - business, **47:52 [FA 62]**
 - individuals, **47:39 [FA 35]**
- Registrar, **47:42, 47:50 [FA 42.2, 60]**
- Firearms acquisition certificates, **47:118, 47:124 [FA 120, 126]**

FIREARMS—Cont'd

- Grandfathered handguns
 - carrying, **47:22 [FA 20]**
 - eligibility to hold licence, **47:13 [FA 12(6) to (7)]**
 - licences generally, see licences
 - renewal of licences, **47:57 [FA 67(2), (3)]**
- Industrial approval designations, **47:123, 47:124 [FA 125, 126]**
- Inspections
 - demand to produce firearm, **47:103 [FA 105]**
 - duty of inspectors, **47:101 [FA 103]**
 - dwelling houses, **47:102 [FA 104]**
 - general, **47:100 [FA 102]**
- Lending, **47:37, 47:38 [FA 33, 34]**
- Licences
 - application, **47:44, 47:45 [FA 54, 55]**
 - conditions, **47:48, 47:124 [FA 58, 58.1, 126.1]**
 - form, **47:51 [FA 61]**
 - general, **47:46 [FA 56]**
 - geographical extent, **47:53 [FA 63]**
 - refusal to issue, **47:58, 47:62, 47:64 to 47:72 [FA 68, 72, 74 to 81]**
 - renewal, **47:57 [FA 67]**
 - revocation, **5:75, 5:85, 47:60 47:62, 47:64 to 47:72 [CC 116, 117.04(4), FA 70, 72, 74 to 81]**
 - term, **47:54 [FA 64]**
 - transferability, **47:52 [FA 62]**
- Mental disorder, **47:24 [FA 22]**
- Museum approvals, **47:120, 47:122, 47:124 [FA 122, 124, 126]**

FIREARMS—Cont'd

- Non-restricted
 - defined, **5:2 [CC 84(1)]**
- Notice of refusal or revocation, **47:62 [FA 72]**
- Offences
 - actions by Attorney General, **47:114 [FA 116]**
 - altering cartridge magazine offence, **5:56.50 [CC 104.1]**
 - careless use or storage, **5:14 [CC 86]**
 - carrying concealed weapon, **5:26 [CC 90]**
 - carrying while attending public meeting, **5:25 [CC 89]**
 - computer data offence, **5:54.50 [CC 102.1]**
 - contraventions of conditions of licences, **47:108 [FA 110]**
 - destroying, **5:58 [CC 106]**
 - discharging firearm—recklessness, **10:121 [CC 244.2]**
 - discharging in public place, **7:99, 10:114 [CC 175, 244]**
 - export or import, **5:1, 5:55, 5:56, 5:56 [CC 84(5), 103, 104, (6)]**
 - failure to give up revoked licence, **47:112 [FA 114]**
 - false statements, **5:59, 47:104 [CC 107, FA 106]**
 - losing or finding, **5:57 [CC 105]**
 - making automatic firearm, **5:54 [CC 102]**
 - non-compliance with demand to produce firearm, **47:111 [FA 113]**
 - pointing, **5:20 [CC 87]**

FIREARMS—Cont'd

- Offences—Cont'd
 - possession, **5:1, 5:21, 5:38, 5:41, 5:45, 5:50, 5:78 [CC 84, 88, 93, 95, 96, 100, 117.01]**
 - tampering, **5:59, 5:60 [CC 107, 108]**
 - trafficking, **5:1, 5:49, 5:50 [CC 84, 99, 100]**
 - transfer without authority, **5:52 [CC 101]**
 - unauthorized possession, **5:30, 5:31, 5:39, 5:60 [CC 91, 92, 94, 108]**
 - use in commission of offence, **5:1, 5:7, 5:13 [CC 84(5), 85, (6)]**
 - using firearm in commission of offence, **5:8 [CC 85(1)]**
- Onus, **5:94 [CC 117.11]**
- Orders
 - access, re limitations on, **5:79.20, 5:81 [CC 117.0101, 117.012]**
 - access to information, denying, **5:65, 5:79.40 [CC 110.2, 117.0102]**
 - emergency prohibition order, **5:66 [CC 110.1]**
 - identifying information, to delete, **5:66.40, 5:79.60 [CC 110.3, 117.0103]**
 - prohibition, **5:67 [CC 111]**
 - subsection 111(5), under, **5:66.60 [CC 110.4]**
 - subsection 117.011(3), under, **5:81 [CC 117.012]**
 - subsection 117.011(5), under, **5:79.80 [CC 117.0104]**
- Penalties, **47:107, 47:109, 47:113 [FA 109, 111, 115]**

FIREARMS—Cont'd

Permit

- minors', 47:119, 47:124 [FA 121, 126]
- revocation, 47:133 [FA 135.1]
- temporary storage permit, 47:133 [FA 135]
- to carry, 47:127, 47:128, 47:130, 47:131 [FA 129, 130, 132, 133]
- to carry on business, 47:121, 47:122, 47:124 [FA 123, 124, 126]
- to transport or convey, 47:129, 47:130, 47:131 [FA 131, 132, 133]

Prohibited firearms, 47:13, 47:19 [FA 12, 17]

- authorized transfer of, 47:28, 47:30 [FA 24, 26]
- businesses, 47:12 [FA 11(1)]
- carriers, 47:12 [FA 11(3)]
- individuals, 47:13 [FA 12]
- places where possession allowed, 47:13, 47:19 [FA 12, 17]
- transporting and using of, 47:21 [FA 19]

Prohibition orders

- appeal, 5:67 [CC 111(8) to (10)]
- application for, 5:67 [CC 111(1) to (7)]
- application of Criminal Code, 42:70 [YCJA 51(7)]
- authorizations revoked or amended, 5:75 [CC 116]
- defined, 5:2 [CC 84(1)]
- discretionary, 5:65, 42:70 [CC 110, YCJA 51(3)]
- emergency, 5:66, 5:70 [CC 110.1, 112]
- forfeiture, 5:74, 5:87, 5:74 [CC 115, 117.05(4), (5)]

FIREARMS—Cont'd

Prohibition orders—Cont'd

- lifting of, 5:71 [CC 113]
- mandatory, 5:61, 42:70 [CC 109, YCJA 51(1), (2)]
- reasons for, 42:70 [YCJA 51(5), (6)]
- records, 42:139 [YCJA 119(3), (10)]
- reporting of, 47:86, 42:69 [FA 89, YCJA 50(8)]
- requirement to surrender, 5:73 [CC 114]
- return to owner, 5:76 [CC 117]
- review, 42:71 [YCJA 52]
- revocation of, 5:70 [CC 112]
- subsection 111(5), under, 5:66.60, 5:70 [CC 110.4, 112]

Reference

- application, 47:64 [FA 74]
- decision, 47:66 [FA 76]
- hearing, 47:65 [FA 75]
- limitation period, 47:64 [FA 74(2)]

Registrar of Firearms

- access to records of Chief Firearms Officer, 47:87 [FA 90]
- appointment, 47:78 [FA 82]
- incapacity, 47:79 [FA 82.1]
- notification of export or import of firearm, 47:43 [FA 50]
- records of, 47:82, 47:90 [FA 85, 92]
- references to, deemed, 47:3 [FA 2(2.1)]
- responsibilities, 47:50 [FA 60]
- transference of, 47:83 [FA 86]
- vacancy, 47:79 [FA 82.1]

Registration certificates

- application, 47:44, 47:45, 47:125, 47:126 [FA 54,

FIREARMS—Cont'd

Registration certificates—Cont'd

55, 55.1, 127, 128]

defined, **5:2 [CC 84(1)]**

exempted firearms, **47:17 [FA 15]**

form, **47:51 [FA 61]**

general, **47:14, 47:15 [FA 12.1, 13]**

geographical extent, **47:53 [FA 63]**

prohibited firearm, **47:14 [FA 12.1]**

refusal to issue, **47:59 [FA 69]**

restricted firearm, **47:14 [FA 12.1]**

restricted to one person, **47:18 [FA 16]**

revocation, **47:61 [FA 71]**

serial number, **47:16 [FA 14]**

temporary, **47:40, 47:43 [FA 36, 48]**

term, **47:56 [FA 66]**

transferability, **47:52 [FA 62]**

Registry

Canadian Firearms Registry, **47:80 [FA 83]**

destruction of records, **47:81 [FA 84]**

Regulation, **5:98, 47:115, 6:1 [CC 117.15, FA 117, 118]**

Restricted firearms

carrying, **47:22 [FA 20]**

places where possession allowed, **47:19 [FA 17]**

transporting and using, **47:21 [FA 19]**

Search and seizure, warrant re, **5:85 [CC 117.04]**

Shooting clubs or shooting ranges, **47:33, 47:132 [FA 29, 134]**

FIREARMS ACQUISITION CERTIFICATE

See FIREARMS

FITNESS TO STAND TRIAL

See also ASSESSMENTS

(MENTAL DISORDER);
DISPOSITIONS AND DIS-
POSITION HEARINGS
(MENTAL DISORDER);
REVIEW BOARDS

Appeals from finding of unfit-
ness

by accused, **29:11 [CC 675(3)]**

by Attorney General, **29:17 [CC 676(3)]**

Presumption of fitness, **28:16 [CC 672.22]**

Subsequent inquiry as to ade-
quacy of case

burden of proof, **28:29 [CC 672.33(3)]**

evidence on inquiry, **28:29 [CC 672.33(4)]**

procedure on inquiry, **28:29 [CC 672.33(5)]**

requirement, **28:29 [CC 672.33(1), (2)]**

where prima facie case not
made, **28:29 [CC 672.33(6)]**

Trial of issue

appointment of counsel, **28:20 [CC 672.24]**

burden of proof, **28:18 [CC 672.23(2)]**

by whom issue tried, **28:22, 28:23 [CC 672.26, 672.27]**

direction of trial of issue, **28:19 [CC 672.23(1)]**

finding of fitness, **28:24, 28:25 [CC 672.28, 672.29]**

finding of unfitness, **28:27, 28:28, 28:91, 28:92 [CC 672.31, 672.32, 672.851, 672.852]**

FITNESS TO STAND TRIAL

—Cont'd

- Trial of issue—Cont'd
 - permanently unfit accused,
28:91, 28:92 [CC
672.851, 672.852]
- “Unfit to stand trial,” 1:3 [CC 2]

FIXED PLATFORMS

- Offence inside Canada
 - act of violence, 3:50 [CC
78.1(2)(a)]
 - destroys or causes damage,
3:50 [CC 78.1(2)(b)]
 - destroys or causes damage to
maritime navigational
facility, 3:50 [CC
78.1(2)(c)]
 - DNA order on conviction or
discharge, 20:77, 20:81
[CC 487.04, 487.051]
 - places anything likely to cause
damage, 3:50 [CC
78.1(2)(d)]
 - seizes or exercises control,
3:50 [CC 78.1(1)]
 - threats likely to endanger
safety, 3:50 [CC 78.1(4)]
- Offence outside Canada
 - accessory after the fact, 2:16
[CC 7(2.1), (2.2)]
 - attempt, 2:16 [CC 7(2.1),
(2.2)]
 - consent to prosecution, 2:16
[CC 7(7)]
 - conspiracy, 2:16 [CC 7(2.1),
(2.2)]
 - counselling, 2:16 [CC 7(2.1),
(2.2)]
 - deemed committed in Canada,
2:16 [CC 7(2.1), (2.2)]
 - DNA order on conviction or
discharge, 20:77, 20:81
[CC 487.04, 487.051]

FIXED PLATFORMS—Cont'd

- Offence outside Canada—Cont'd
 - prosecution outside Canada,
2:16 [CC 7(6)]

FLIGHT

- Police, from, 11:18 [CC 320.17]

FOLLOWING PERSON

- With intent to intimidate, 13:101
[CC 423(1)(c), (e)]

FORCE (USE OF)

- See also DEFENCES (STATU-
TORY)
- Defence against provoked
assault, 2:125, 2:126 [CC
35, 36]
- Defence against unprovoked
assault, 2:120, 2:126 [CC
34, 36]
- Use of force
 - excess force, 2:100 [CC 26]
 - in execution of process, 2:88,
2:100 [CC 25, 26]
 - to correct child, 2:127 [CC
43]
 - to defend self, 2:120, 2:125
[CC 34, 35]
 - to enforce law, 2:88, 2:100
[CC 25, 26]
 - to maintain discipline on ves-
sel, 2:131 [CC 44]
 - to prevent assault, 2:126 [CC
37]
 - to prevent breach of peace,
2:109 [CC 30]
 - to prevent commission of
offence, 2:102 [CC 27]
 - to prevent escape, 2:92, 2:93
[CC 25(4), (5)]
 - to suppress riot, 2:113 [CC
32]

FORCIBLE CONFINEMENT

- See CONFINEMENT

FORCIBLE DETAINER

Generally, **3:41, 3:43** [CC 72(2), 73]

FORCIBLE ENTRY

Generally, **3:42, 3:43** [CC 72(1), 73]

FOREIGN STATE

Communications prejudicial to
conspiracy, **3:1** [CC 46(2)(e)]
defence, **3:1** [CC 46(2)(b)]
punishment, **3:3** [CC
47(2)(b), (c)]

FORENSIC DNA ANALYSIS

See also DNA IDENTIFICATION

Arrest warrant, **20:95, 39:24**
[CC 487.0551, Form
5.062]

Authorization for second collection
of bodily substances
where profile not derived
from initial collection,
20:107 [CC 487.091]

execution of, **20:95, 20:103,**
20:97 to 20:100, 20:104,
31:15 [CC 487.0551(2),
487.07, 487.056 to
487.058, 487.071,
703(2)]

summons to person not in
custody, **20:107, 39:23**
[CC 487.091(3), Form
5.061]

Authorization for taking of
bodily substances from
offender serving sentence
attempted murder, offender
convicted of, **20:92** [CC
487.055(1)(c.1), (2)]
certificate required, **20:94** [CC
487.055(2)]
collection of additional bodily
substances where profile

FORENSIC DNA ANALYSIS

—Cont'd

Authorization for taking of
bodily substances from
offender serving sentence
—Cont'd

not derived from initial
collection under, **20:107**
[CC 487.091]

collection of bodily substances
under, **20:98** [CC
487.056(1)]

conspiracy to commit murder,
offender convicted of,
20:92 [CC
487.055(1)(c.1), (2)]

criteria for determining
whether authorization
should issue, **20:92** [CC
487.055(3)]

dangerous offenders, **20:92**
[CC 487.055(1)(a), (b),
(2)]

execution of, **20:95, 20:103,**
20:97 to 20:100, 20:104,
20:107, 31:15, 39:24
[CC 487.0551(2),
487.07, 487.056 to
487.058, 487.071,
487.091, 703(2), Form
5.062]

manner of appearance at hearing,
20:92, 20:99,
20:100, 20:104, 39:25
[CC 487.055(3.01),
487.057, 487.058,
487.071, Form 5.07]

manslaughter, offender
convicted of, **20:92** [CC
487.055(1)(e)]

murderers, **20:92** [CC
487.055]

procuring attendance at hearing,
20:92, 20:95, 39:23,
39:24 [CC 487.055,

FORENSIC DNA ANALYSIS

—Cont'd

- Authorization for taking of bodily substances from offender serving sentence
 - Cont'd
 - 487.0551, Forms 5.061, 5.062]**
 - sex offenders, **20:92 [CC 487.055]**
- Bodily substances
 - collection, pursuant to court order or authorization, **20:97 to 20:100, 20:103, 20:107 [CC 487.056 to 487.058, 487.07, 487.091]**
 - destruction, **20:106 [CC 487.09]**
 - investigative procedures, **20:101 [CC 487.06]**
 - limitation on uses, **20:105 [CC 487.08]**
 - offence of misuse, **20:105 [CC 487.08(4)]**
 - transmission of analysis results, **20:104 [CC 487.071(1)]**
 - transmission of unused, **20:104 [CC 487.071(2)]**
- Court order for taking of bodily substances on conviction, discharge, or NCRMD finding
 - appeal from, **20:90 [CC 487.054]**
 - criteria for determining whether order should issue, **20:81 [CC 487.051]**
 - discretion of court, **20:83, 20:84, 20:89 [CC 487.051(2) to (3), 487.053]**
 - exception, **20:83, 20:84 [CC**

FORENSIC DNA ANALYSIS

—Cont'd

- Court order for taking of bodily substances on conviction, discharge, or NCRMD finding—Cont'd
 - 487.051(2), (3)]**
 - execution of, **20:95, 20:103, 20:97 to 20:100, 20:104, 20:105, 20:107, 31:15, 39:24, 39:25 [CC 487.0551(2), 487.07, 487.056 to 487.058, 487.071, 487.08, 487.091, 703(2), Forms 5.062, 5.07]**
 - primary designated offence, **20:81, 39:18, 39:19 [CC 487.051, Forms 5.03, 5.04]**
 - secondary designated offence, **20:84, 39:19 [CC 487.051(3), Form 5.04]**
 - timing of, **20:89 [CC 487.053]**
 - where not required, **20:83, 20:89 [CC 487.051(2), 487.053]**
- Court order to offender to report for sampling
 - arrest warrant where non-compliance, **20:95, 39:24 [CC 487.0551, Form 5.062]**
 - form of, **39:20 [CC Form 5.041]**
 - non-compliance with, offence, **20:96 [CC 487.0552]**
 - power to make, **20:85, 20:92 [CC 487.051(4), 487.055(3.11)]**
- Defective orders/authorizations
 - review by AG, **20:107 [CC 487.091]**
- Definitions, **20:77, 20:92 [CC 487.04, 487.055(3)]**

FORENSIC DNA ANALYSIS

—Cont'd

- Destruction of bodily substances, etc., **20:106 [CC 487.09]**
- Execution of warrant, **20:95, 20:103, 31:15 [CC 487.0551(2), 487.07, 703(2)]**
- Investigative procedures, **20:101 [CC 487.06]**
- Limitations on use of bodily substances, **20:105 [CC 487.08]**
 - failure to comply with order or summons, **20:96 [CC 487.0552]**
 - misuse of substances and results, **20:105, 20:105 [CC 487.08(3), (4)]**
- Results
 - limitation on uses, **20:105 [CC 487.08]**
 - offence of misuse, **20:105 [CC 487.08(4)]**
 - transmission of, **20:104 [CC 487.071]**
- Summons to report for sampling
 - form of, **39:23 [CC Form 5.061]**
 - non-compliance with, offence, **20:96 [CC 487.0552]**
 - power to issue, **20:92, 20:107 [CC 487.055(4), 487.091(3)]**
 - warrant on non-compliance, **20:95 [CC 487.0551]**
- Warrant to obtain bodily substances
 - criteria, **20:80 [CC 487.05(2)]**
 - detention of person named, **20:103 [CC 487.07(2)]**
 - execution, **20:99, 20:100, 20:103 [CC 487.057, 487.058, 487.07]**

FORENSIC DNA ANALYSIS

—Cont'd

- Warrant to obtain bodily substances—Cont'd
 - form of, **39:17 [CC Form 5.02]**
 - information to obtain warrant, **20:78, 20:115, 39:16 [CC 487.05, 487.3, Form 5.01]**
 - respect of privacy, **20:103 [CC 487.07(3)]**
 - terms and conditions, **20:101 [CC 487.06(2)]**
 - use of substances and analysis results, **20:105 [CC 487.08]**
- Young person, **20:77 [CC 487.04]**

FORFEITURE

See also CHILD

- PORNOGRAPHY; FORFEITURE (OFFENCE-RELATED PROPERTY); PROCEEDS OF CRIME; RECOGNIZANCE
- Disposition of proceeds, **34:54 [CC 723]**
- Effect of proceeds of crime provisions, **17:37 [CC 462.49]**
- Order for forfeiture, **20:194 [CC 491.1]**
- Recovery by civil proceedings, **34:56 [CC 724]**
- Remission, **34:200 [CC 750(1)]**
- Things forfeited
 - child pornography, **7:61 [CC 164(4), (5)]**
 - counterfeit money, token or equipment, **15:30 [CC 462]**
 - crime comic, **7:61 [CC 164(4), (5)]**

FORFEITURE—Cont'd

- Things forfeited—Cont'd
 - device to obtain computer system, **12:81** [CC **342.2(2), (3)**]
 - device to obtain telecommunications service, **12:43, 12:44** [CC **327(2), (3)**]
 - explosive, **20:196** [CC **492(2), (3)**]
 - FDA, **2:102, 2:127, 2:131** [CC **27, 43(4), 44**]
 - goods unlawfully carried, **13:67** [CC **401(2)**]
 - hate propaganda, **10:408, 10:411** [CC **319, 320**]
 - instruments for forging or falsifying credit cards, **12:78** [CC **342.01(2), (3)**]
 - interception device, **8:54** [CC **192**]
 - lottery or gaming material, **9:9, 9:37, 9:38** [CC **199, 206(5), (6)**]
 - mineral or precious metal, **13:51, 13:53** [CC **394, 395**]
 - obscene matter, **7:61**, [CC **164(4), (5)**]
 - offence-related property, **20:178, 44:49** [CC **490.1, CDA 20**]
 - things seized pursuant to search warrant, **20:129** [CC **490(9)**]
 - things used for child luring, **7:65** [CC **164.2**]
 - things used for child pornography, **7:65** [CC **164.2**]
 - things used for movie piracy, **14:22** [CC **432(3), (4)**]

FORFEITURE—Cont'd

- Things forfeited—Cont'd
 - trademarked goods, **13:88** [CC **412(2)**]
 - used goods, **13:88** [CC **412(2)**]
 - weapon, **5:54, 20:193** [CC **102(3), 491**]

FORFEITURE (OFFENCE-RELATED PROPERTY)

- Dwelling house
 - criteria/factors to be considered, **20:184, 44:47** [CC **490.41(4), CDA 19.1(4)**]
 - non-forfeiture of property, **20:184, 44:47** [CC **490.41(3), CDA 19.1(3)**]
 - notice requirements, **20:184, 44:47** [CC **490.41(1) to (2), CDA 19.1(1) to (2)**]
- In rem forfeiture, application for, **20:181, 44:44** [CC **490.2(1), CDA 17(1)**]
- “Judge” defined, **20:180** [CC **490.2(5)**]
- Management order
 - appointment of Minister to manage, **20:191, 44:38** [CC **490.81(2), CDA 14.1(2)**]
 - destruction of property pursuant to, **20:191, 44:38** [CC **490.81(4) to (7), CDA 14.1(4) to (7)**]
 - duration of, **20:191, 44:38** [CC **490.81(8), CDA 14.1(8)**]
 - power of court, **20:191, 44:38** [CC **490.81(1), (7), (7), CDA 14.1(1)**]
 - power to manage, **20:191, 44:38** [CC **490.81(1), (3)**]

FORFEITURE

- (OFFENCE-RELATED PROPERTY)—Cont'd**
- Management order—Cont'd
 - to (4), CDA 14.1(1)]
 - variation of, 20:191, 44:38 [CC 490.81(9), CDA 14.1(9)]
- Notice of application, 20:183, 44:46 [CC 490.4(1), CDA 19(1)]
 - manner of giving notice, 20:183, 44:46 [CC 490.4(2), CDA 19(2)]
- Order declaring interest not affected by forfeiture, 20:186, 44:49 [CC 490.5(4), CDA 20(4)]
 - appeal from order, 20:186, 44:49 [CC 490.5(5), CDA 20(5)]
 - application for order, 20:187, 44:49 [CC 490.5(1), CDA 20(1)]
 - fixing date for hearing, 20:186, 44:49 [CC 490.5(2), CDA 20(2)]
 - notice of application, 20:186, 44:49 [CC 490.5(3), CDA 20(3)]
 - return of property, 20:186, 44:49 [CC 490.5(6), CDA 20(6)]
 - suspension of order pending appeal, 20:189, 44:51 [CC 490.7, CDA 22]
- Order of forfeiture of property, 20:180, 44:44 [CC 490.2(2), CDA 17(2)]
 - absconded accused, 20:180, 44:44 [CC 490.2(3), CDA 17(2), (3)]
 - appeals from orders, 20:188, 44:50 [CC 490.6, CDA 21]

FORFEITURE

- (OFFENCE-RELATED PROPERTY)—Cont'd**
- Order of forfeiture of property, 20:180, 44:44 [CC 490.2(2), CDA 17(2)]
 - Cont'd
 - dwelling house
 - criteria/factors to be considered, 20:184, 44:47 [CC 490.41(4), CDA 19.1(4)]
 - non-forfeiture of property, 20:184, 44:47 [CC 490.41(3), CDA 19.1(3)]
 - notice requirements, 20:184, 44:47 [CC 490.41(1) to (2), CDA 19.1(1) to (2)]
 - property outside Canada, 20:178, 20:180, 44:41 [CC 490.1(2.1), 490.2(4.1), CDA 16(2.1)]
 - suspension of order pending appeal, 20:189, 44:51 [CC 490.7, CDA 22]
 - who may dispose of forfeited property, 20:180, 44:44 [CC 490.2(4), CDA 17(4)]
- Order of forfeiture on conviction, 20:179, 44:42 [CC 490.1(1), CDA 16(1)]
 - appeal from order, 20:178, 44:41 [CC 490.1(3), CDA 16(3)]
 - dwelling house
 - criteria/factors to be considered, 20:184, 44:47 [CC 490.41(4), CDA 19.1(4)]
 - non-forfeiture of property, 20:184, 44:47 [CC 490.41(3), CDA 19.1(3)]

FORFEITURE

(OFFENCE-RELATED PROPERTY)—Cont'd

- Order of forfeiture on conviction, **20:179, 44:42** [CC **490.1(1)**, CDA **16(1)**]
 - Cont'd
 - dwelling house—Cont'd
 - notice requirements, **20:184, 44:47** [CC **490.41(1)** to (2), CDA **19.1(1)** to (2)]
 - property outside Canada, **20:178, 44:41** [CC **490.1(2.1)**, CDA **16(2.1)**]
 - property related to other offences, **20:178, 44:43** [CC **490.1(2)**, CDA **16(2)**]
 - suspension of order pending appeal, **20:189, 44:51** [CC **490.7**, CDA **22**]
- Property outside Canada, **20:178, 20:180, 44:41, 44:44** [CC **490.1(2.1)**, **490.2(4.1)**, CDA **16(2.1)**, **17(5)**]
- Recognizance, **20:192, 44:39** [CC **490.9(2)**, CDA **15(2)**]
- Restoration of property, **20:183, 44:46** [CC **490.4(3)**, CDA **19(3)**]
- Restraint order, **20:190, 44:37** [CC **490.8**, CDA **14**]
 - application for, **20:190, 44:37** [CC **490.8(1)**, CDA **14(1)**]
 - conditions, **20:190, 44:37** [CC **490.8(4)**, CDA **14(2)**]
 - management order pending restraint, **20:191** [CC **490.81**]

FORFEITURE

(OFFENCE-RELATED PROPERTY)—Cont'd

- Restraint order, **20:190, 44:37** [CC **490.8**, CDA **14**]
 - Cont'd
 - order, **20:190, 44:37** [CC **490.8(3)** to (3.1), CDA **14(3)** to (4)]
 - continues in force, **20:190, 44:37** [CC **490.8(8)**, CDA **14(9)**]
 - contravention of, **20:190, 44:37** [CC **490.8(9)**, CDA **14(10)**]
 - in writing, **20:190, 44:37** [CC **490.8(5)**, CDA **14(6)**]
 - property outside Canada, **20:190, 44:37** [CC **490.8(3.1)**, CDA **14(4)**]
 - registration of, **20:190, 44:37** [CC **490.8(7)**, CDA **14(8)**]
 - service of, **20:190, 44:37** [CC **490.8(6)**, CDA **14(7)**]
 - procedure, **20:190, 44:37** [CC **490.8(2)**, CDA **14(2)**]
- Sections 489.1 and 490 applicable, **20:192, 44:39** [CC **490.9(1)**, CDA **15(1)**]
- Transfers, voidable, **20:182, 44:45** [CC **490.3**, CDA **18**]

FORGERY

- See also COUNTERFEITING; UTTERING
- Credit card, **12:76** [CC **342(1)(b)**]
- Elements of offence
 - definition, **12:188** [CC **366(1)**]
 - “make false document,” **12:187** [CC **366(2)**]

FORGERY—Cont’d

- Elements of offence—Cont’d
 - when complete, **12:187 [CC 366(3)]**
- Exchequer bill paper, public seals, **12:200 [CC 369]**
- Impounding forged instrument, **40:107 [CEA 35]**
- Obtaining property by instrument based on forgery, **12:210 [CC 375]**
- Passport, **3:15 [CC 57]**
- Public seal, **12:200 [CC 369(c)]**
- Punishment for forgery, **12:189 [CC 367]**
- Trademark, **13:79, 13:80 [CC 406, 407]**
 - forfeiture, **13:88 [CC 412(2)]**
 - possession of instrument, **13:83 [CC 409]**
 - punishment, **13:88 [CC 412(1)]**
- Uttering forged document, **12:191 [CC 368]**

FORMS

- Deemed good and sufficient, **39:10 [CC 849(1)]**
- No seal required, **39:9 [CC 849(2)]**
- Official languages, **39:9 [CC 849(3)]**

FRAUD

- See also FALSE PRETENCES
- Aggravating circumstances, **13:25 [CC 380.1(1) to (1.1)]**
- Indictment
 - sufficiency of counts, **27:36, 27:41 [CC 583, 586]**
- Non-mitigating factors, **13:25 [CC 380.1(2)]**
- Offences
 - affecting public market, **13:6 [CC 380(2)]**
 - aggravating circumstances,

FRAUD—Cont’d

- Offences—Cont’d
 - affecting public market, **13:6 [CC 380(2)]—Cont’d**
 - 13:25 [CC 380.1(1) to (1.1)]**
 - non-mitigating factors, **13:25 [CC 380.1(2)]**
 - record of sentencing factors, **13:25 [CC 380.1(3)]**
 - artificial securities transactions, **13:30 [CC 382]**
 - aggravating circumstances, **13:25 [CC 380.1(1) to (1.1)]**
 - non-mitigating factors, **13:25 [CC 380.1(2)]**
 - record of sentencing factors, **13:25 [CC 380.1(3)]**
 - bottling under another’s mark or name, **13:85 [CC 410(b)]**
 - forfeiture, **13:88 [CC 412(2)]**
 - punishment, **13:88 [CC 412(1)]**
 - broker reducing stock by selling for own account, **13:35 [CC 384]**
 - cheating at play, **9:46 [CC 209]**
 - concealment of title document, **13:36 [CC 385]**
 - consignment sale, fraudulent disposition, **13:42 [CC 389]**
 - defacing trademark or name, **13:85 [CC 410(a)]**
 - forfeiture, **13:88 [CC 412(2)]**
 - punishment, **13:88 [CC 412(1)]**
 - defrauding creditors
 - false financial statement, **12:169 [CC 362]**

FRAUD—Cont'd

Offences—Cont'd

- defrauding creditors—Cont'd
 - false prospectus, **13:60** [CC 400]
 - aggravating circumstances, **13:25** [CC 380.1(1) to (1.1)]
 - non-mitigating factors, **13:25** [CC 380.1(2)]
 - record of sentencing factors, **13:25** [CC 380.1(3)]
 - falsifying book or document, **13:55** [CC 397]
 - fraudulent conveyance, **13:46** [CC 392]
- defrauding public or person, **13:5** [CC 380(1)]
 - aggravating circumstances, **13:25** [CC 380.1(1) to (1.1)]
 - jurisdiction of provincial court judge, **25:2**, **25:13** [CC 553(a)(iv), 555(2)]
 - minimum punishment, **13:4** [CC 380(1.1)]
 - non-mitigating factors, **13:25** [CC 380.1(2)]
 - prohibition order, **13:27** [CC 380.2]
 - record of sentencing factors, **13:25** [CC 380.1(3)]
 - restitution order, **34:121**, **39:64**, **34:123** [CC 738, Form 34.1, 739]
- false prospectus, **13:60** [CC 400]
 - aggravating circumstances, **13:25** [CC 380.1(1) to (1.1)]
 - non-mitigating factors, **13:25** [CC 380.1(2)]

FRAUD—Cont'd

Offences—Cont'd

- false prospectus, **13:60** [CC 400]—Cont'd
 - record of sentencing factors, **13:25** [CC 380.1(3)]
- falsifying book or document, **13:55** [CC 397]
- falsifying pedigree, **13:36** [CC 385]
- fare or toll collection, **13:49** [CC 393]
 - trial jurisdiction, **25:2** [CC 553(c)(viii)]
- forgery of trademark, **13:79**, **13:80** [CC 406, 407]
- fraud by government official, **6:17** [CC 122]
- fraud generally, **13:5** [CC 380(1)]
 - punishment
 - aggravating circumstances, CC **380.1(1) to (1.1)** [CC 380.1(1) to (1.1)]
 - minimum punishment, **13:4** [CC 380(1.1)]
 - non-mitigating factors, **13:25** [CC 380.1(2)]
 - not exceeding 01675,000, **13:4** [CC 380(1)(b)]
 - over 01675,000, **13:4** [CC 380(1)(a), (1.1)]
 - prohibition order, **13:27** [CC 380.2]
 - record of sentencing factors, **13:25** [CC 380.1(3)]
 - restitution order, **34:121**, **39:64**, **34:123** [CC 738, Form 34.1, 739]

FRAUD—Cont'd

Offences—Cont'd

- fraud in relation to mineral or precious metal, **13:51** [CC 394]
- fraud in relation to public stores, **13:94** [CC 418]
- fraudulent concealment, **12:74** [CC 341]
- title documents, **13:36** [CC 385]
- fraudulent conveyance, **13:46** [CC 392]
- fraudulent receipt under Bank Act, **13:43** [CC 390]
- fraudulent registration of title, **13:38** [CC 386]
- fraudulent sale of land, **13:38**, **13:39** [CC 386, 387]
- fraudulent use of citizenship certificate, **3:17** [CC 58]
- fraud upon government, **6:11** [CC 121]
 - loss of capacity to contract, **34:196** [CC 748(3), (4)]
- gaming in stocks or merchandise, **13:34** [CC 383]
- general offence and punishment, **13:5**, **13:4** [CC 380(1), (1.1)]
- insider trading, prohibited, **13:33** [CC 382.1]
 - aggravating circumstances, **13:25** [CC 380.1 to (1.1)]
 - non-mitigating factors, **13:25** [CC 380.1(2)]
 - record of sentencing factors, **13:25** [CC 380.1(3)]
- jurisdiction of provincial court judge, **25:2**, **25:13** [CC 553(a)(iv), 555(2)]

FRAUD—Cont'd

Offences—Cont'd

- obtaining credit by fraud, **12:169** [CC 362(1)(b)]
- punishment, **12:172** [CC 362(3)]
- obtaining execution of valuable security, **12:179** [CC 363]
- obtaining food and lodging, **12:182** [CC 364(1)]
- obtaining property by instrument based on forgery, **12:210** [CC 375]
- obtaining transportation, **13:49** [CC 393]
 - jurisdiction of provincial court judge, **25:2** [CC 553(c)(viii)]
- passing off, **13:82** [CC 408]
- forfeiture, **13:88** [CC 412(2)]
- punishment, **13:88** [CC 412(1)]
- purported receipt, **13:41** [CC 388]
- salting mine or sample, **13:54** [CC 396]
- title documents
 - fraudulent registration, **13:38** [CC 386]
- using mails to defraud, **13:29** [CC 381]
- uttering counterfeit or noncurrent coin, **15:11** [CC 453]
- Order for particulars, **27:43** [CC 587]
- Prohibition order, **13:27** [CC 380.2]
 - breach offence, **13:27** [CC 380.2(4)]
 - duration, **13:27** [CC 380.2(2)]
 - power to make, **13:27** [CC 380.2(1)]

FRAUD—Cont'd

Prohibition order, 13:27 [CC 380.2]—Cont'd
variation, 13:27 [CC 380.2(3)]

**FRAUDULENT
CONCEALMENT**

Generally, 12:74 [CC 341]
Mineral or precious metal, 13:51 [CC 394(1)]
Registration of title, 13:38 [CC 386]
Title document, 13:37 [CC 385(1)]

FRAUDULENT CONVEYANCE

Generally, 13:46 [CC 392]

**FRAUDULENT
MISREPRESENTATION**

Generally, 12:168 [CC 361]

**“FREE AND DEMOCRATIC
SOCIETY”**

Generally, 41:3 [CA 1]

FREEDOM OF ASSOCIATION

Generally, 41:6 [CA 2(d)]

**FREEDOM OF CONSCIENCE
AND RELIGION**

Generally, 41:6 [CA 2(a)]

**FREEDOM OF PEACEFUL
ASSEMBLY**

Generally, 41:6 [CA 2(c)]

**FREEDOM OF PRESS AND
OTHER MEDIA OF
COMMUNICATIONS**

Generally, 41:6 [CA 2(b)]

**FREEDOM OF THOUGHT,
BELIEF, OPINION AND
EXPRESSION**

Generally, 41:6 [CA 2(b)]

FUNDAMENTAL FREEDOMS

Generally, 41:6 [CA 2]

FUNDAMENTAL JUSTICE

Generally, 41:22 [CA 7]

GAMBLING

See also BETTING; GAMING;
LOTTERY

Controlling property for
gambling, 9:20 [CC 202(1)(c)]

assisting offence, 9:20 [CC 202(1)(j)]

Dealing in or keeping gambling
device, 9:20 [CC 202(1)(b)]

assisting offence, 9:20 [CC 202(1)(j)]

Exemptions from offences, 9:28 [CC 204]

Importing information, 9:20 [CC 202(1)(g)]

assisting offence, 9:20 [CC 202(1)(j)]

Punishment, 9:22 [CC 202(2)]

GAMING

See also BETTING;
DISORDERLY HOUSE;
GAMBLING; LOTTERY

Agreeing to purchase or sell
privileges, 8:26, 9:20 [CC 186(1)(e), 202(1)(e)]

assisting offence, 8:26, 9:20 [CC 186(1)(j), 202(1)(j)]

exemption from offence, 9:29 [CC 204(1)]

punishment, 9:22 [CC 202(2)]

Buying lots; cards or tickets,
9:36 [CC 206(4)]

Cheating at play, 8:54 [CC 192]

Conducting game, 9:32 [CC 206(1)(d) to (f)]

exception for agricultural fair,
9:35 [CC 206(3)]

GAMING—Cont'd

- Dealing in lots, cards or tickets,
9:32 [CC 206(1)(b)]
- Exceptions for joint property,
bank premiums
calls of securities, 9:32 [CC
206(8)]
- Forfeiture of property, 9:37, 9:38
[CC 206(5), (6)]
- Gaming in stocks or
merchandise, 13:34 [CC
383(1)]
- Inducing stake, 9:32 [CC
206(1)(g)]
exception for agricultural fair,
9:35 [CC 206(3)]
- Jurisdiction of provincial court
judge, 25:2 [CC 553(c)(i)
to (v)]
- Making or advertising scheme,
9:32 [CC 206(1)(a)]
- Sending device or scheme, 9:32
[CC 206(1)(c)]
- Three-card monte
conducting game, 9:32 [CC
206(1)(h)]
defined, 9:34 [CC 206(2)]
permitting game, 9:32 [CC
206(1)(j)]
receiving bets, 9:32 [CC
206(1)(i)]

GAS

- Theft, 12:38 [CC 326]

GENERAL WARRANT

- Generally, 20:47 [CC 487.01]
- Information to obtain warrant,
20:47 [CC 487.01]
- sealing order for, 20:115 [CC
487.3]

GENOCIDE

- See also HATE PROPAGANDA

GENOCIDE—Cont'd

- Advocating genocide, 10:407
[CC 318(1)]
consent to prosecution, 10:406
[CC 318(3)]
- “Genocide,” 10:406 [CC
318(2)]
- “Identifiable group,” 10:406
[CC 318(4)]

GIFT

- To defraud creditors, 13:46 [CC
392]

GOVERNMENT

- Appointment, proof, 40:73,
40:74 [CEA 21, 22]
- Conduct of lotteries, 9:40 [CC
207]
- DISCLOSURE OF INFORMA-
TION, See DISCLOSURE
- “Government,” 6:1 [CC 118]
- Offences
corruption
breach of trust by official,
6:17 [CC 122]
- bribery of official, 6:11 [CC
121]
loss of capacity to
contract, 34:196
[CC 748(3), (4)]
- contractor subscribing to
election fund, 6:13 [CC
121(2)]
- loss of capacity to contract,
34:196 [CC 748(3),
(4)]
- “official,” 6:1 [CC 118]
- counterfeiting
government mark, 12:211
[CC 376(2)]
- “mark,” 12:211 [CC
376(3)]
- proclamation, 13:96 [CC
420]

GOVERNMENT—Cont'd

Offences—Cont'd

- counterfeiting—Cont'd
 - seal, **12:200** [CC 369]
- fraud by official, **6:17** [CC 122]
 - “official,” **6:1** [CC 118]
- fraud upon government, **6:11** [CC 121]
 - loss of capacity to contract, **34:196** [CC 748(3), (4)]
- influencing appointments, **6:26** [CC 125]
 - “office,” **6:1** [CC 118]
 - “official,” **6:1** [CC 118]
- printing or using likeness of securities, **15:20** [CC 457]
- records and documents
 - certified copy as evidence, **40:77, 40:79, 40:81** [CEA 24, 25, 26(1)]
 - notice of production of copy, **40:83** [CEA 28]
 - photograph as evidence, **40:93** [CEA 31]
 - record as evidence, **40:80** [CEA 26]
 - young offenders, **42:136** [YCJA 116(1)]
- sedition, **3:18 to 3:24** [CC 59 to 62]
- selling or purchasing office, **6:25, 6:26** [CC 124, 125]
 - loss of capacity to contract, **34:200** [CC 750]
- tobacco, relating to, **6:16** [CC 121.1]
- treason, see *Treason*

GOVERNOR IN COUNCIL

- Direction for payment of penalty, **34:104** [CC 734.4(3)(b)]

GOVERNOR IN COUNCIL

—Cont'd

- Order prohibiting drilling, **3:37** [CC 70]
- Order restoring capacity to contract, **34:200** [CC 750(4)]
- Pardon
 - grant, **34:196** [CC 748]
- Prescription of distinguishing marks, **13:92** [CC 416]
- Remission of penalties, **34:200** [CC 750]
- Uniform rules of court, **19:35** [CC 482(5)]

GUARDIAN

- See *ABDUCTION*; *PARENT OR GUARDIAN*

HABEAS CORPUS

- Appeal, **37:30, 37:27** [CC 784(3), (4), (5)]
- Arrest or detention, **2:26** [CC 10(c)]
- Availability
 - defect in form, **37:23** [CC 782]
 - review of warrant of commitment, **37:23** [CC 782]
- No re-application without fresh evidence, **37:30** [CC 784(3)]
- Nunavut, **26:3** [CC 573.2]
- Order for further detention, **37:7** [CC 775]
- Presence of accused mandatory on application, **27:205, 37:6** [CC 650.01(3)(a)(iii), 774.1]
- Protection of judicial officer, **37:25** [CC 783]
- Rules of court, **19:35** [CC 482(2)(c)]

HABEAS CORPUS—Cont’d

Want of proof of enactment not ground, **37:21 [CC 781]**

HANDWRITING

Proof, **40:32 [CEA 8]**

HARASSING COMMUNICATIONS

See also TELEPHONE

Generally, **12:205 [CC 372(3)]**

HARBOUR

See also ACCESSORY AFTER FACT

Removing natural bar, **14:51 [CC 440]**

defence, **14:4 [CC 429(2)]**

HATE PROPAGANDA

See also GENOCIDE

Advocating genocide, **10:407 [CC 318(1)]**

consent of attorney general required, **10:406 [CC 318(3)]**

“genocide,” **10:406 [CC 318(2)]**

“identifiable group,” **10:406 [CC 318(3)]**

Forfeiture on conviction, **10:408 [CC 319(4)]**

Public incitement of hatred, **10:409 [CC 319(1)]**

“communicating,” **10:408 [CC 319(7)]**

“identifiable group,” **10:408 [CC 319(7)]**

“public place,” **10:408 [CC 319(7)]**

“statements,” **10:408 [CC 319(7)]**

Warrant of seizure, **10:411, 10:412 [CC 320, 320.1]**

HATE PROPAGANDA—Cont’d

Wilful promotion of hatred, **10:410 [CC 319(2)]**

“communicating,” **10:408 [CC 319(7)]**

consent of attorney general required, **10:408 [CC 319(6)]**

defence, **10:408 [CC 319(3)]**

“identifiable group,” **10:408 [CC 319(7)]**

“statements,” **10:408 [CC 319(7)]**

HATRED

See HATE PROPAGANDA; INCITEMENT OF HATRED

HIGH-RISK ACCUSED

APPEAL, See also REVIEW OF FINDING

decision of court, **28:69 [CC 672.64(4)]**

decision of Review Board, **28:86, 28:89 [CC 672.81(1.5), 672.84(6)]**

Application to court

appeal of decision, **28:69 [CC 672.64(4)]**

detention order, **28:69 [CC 672.64(3)]**

factors considered, **28:69 [CC 672.64(2)]**

finding, **28:69 [CC 672.64(1), 672.64(5)]**

Assessment order

by court, **28:2 [CC 672.11(d.1)]**

by Review Board, **28:4 [CC 672.121(c)]**

Defined, **28:1 [CC 672.1(1)]**

Detention of, **28:69 [CC 672.64(3)]**

HIGH-RISK ACCUSED

—Cont'd

- Detention order
 - by court, **28:69** [CC **672.64(3)**]
- Disposition hearing
 - exceptions, **28:43** [CC **672.47(4)**]
 - extension of time for, **28:43** [CC **672.47(5)**]
 - mandatory review of disposition by Board, **28:86** [CC **672.81**]
 - notice to victim: referral to court, **28:46** [CC **672.5(13.3)**]
 - procedure generally, **28:46** [CC **672.5**]
 - protective conditions, **28:58** [CC **672.542**]
 - “significant threat to safety of public,” **28:56** [CC **672.5401**]
 - victim impact statements, **28:46, 28:57** [CC **672.5(14)** to **(15.3)**, **672.541**]
- Factors to consider, **28:69** [CC **672.64(2)**]
- Findings, **28:69** [CC **672.64(1)**]
- Protected statements
 - admissibility, **28:14** [CC **672.21(3)(c)**]
- Review proceedings
 - appeal re finding, **28:89** [CC **672.84(6)**]
 - extension of time, **28:86** [CC **672.81(1.31)** to **(1.32)**]
 - hearing and disposition, **28:89** [CC **672.84(4)**]
 - referral to court, **28:89** [CC **672.84(1)**]
 - review of conditions by Board, **28:89** [CC

HIGH-RISK ACCUSED

—Cont'd

- Review proceedings—Cont'd
 - 672.84(2), 672.84(5)**]
 - review of dispositions by Board, mandatory, **28:86** [CC **672.81**]
 - review of finding by court, **28:89** [CC **672.84(3)**]
- Transfer of proceedings, **28:96, 28:97** [CC **672.88, 672.89**]
- Variation of restrictions, **28:61, 28:69** [CC **672.56(1.1)**, **672.64(3)**]

HIGH TREASON

- See also TREASON
- Conspiracy to commit, **3:1** [CC **46(2)(c)**]
- Corroboration, **3:3** [CC **47(3)**]
- Delivery of trial documents, **27:87** [CC **604**]
- Indictment
 - specific charge, **27:35** [CC **582**]
 - statement of overt acts, **27:25, 27:77** [CC **581(4)**, **601(9)**]
- Judicial review of parole ineligibility, **34:184** [CC **745.6**]
- Offence defined, **3:2, 3:1** [CC **46(1), (3)(a)**]
- Overt acts
 - evidence, **3:12** [CC **55**]
 - statement in indictment, **27:25, 27:77** [CC **581(4)**, **601(9)**]
- Punishment, **3:3, 34:167** [CC **47(1), 745(a)**]
- Trial jurisdiction, **19:1, 19:2** [CC **468, 469(a)(i)**]
- accessory after fact, **19:2** [CC **469(b)**]
- attempt, **19:2** [CC **469(d)**]
- conspiracy, **19:2** [CC **469(e)**]

HIGHWAY

Defined, **1:3** [CC 2]
Obstructing, **13:101** [CC
423(1)(g)]

HIJACKING

See also AIRCRAFT
Consent to prosecution, **2:16**
[CC 7(7)]
Interim release, **21:100** [CC
522(1)]
Offence of hijacking, **3:46** [CC
76]
DNA order on conviction or
discharge, **20:77, 20:81**
[CC **487.04, 487.051**]
outside Canada, **2:16** [CC
7(7)]

**HOAX REGARDING
TERRORIST ACTIVITY**

Generally, **4:32** [CC **83.231**]

HOLIDAY

Issue and execution of process,
2:62 [CC **20**]
Taking of verdict, **27:234** [CC
654]

HOME INVASION

Sentencing, aggravating
circumstance, **12:113** [CC
348.1]

HOMICIDE

See also DEATH;
INFANTICIDE; MAN-
SLAUGHTER; MURDER
Causing death
acceleration of death, **10:42**
[CC **226**]
death from injury treatment,
10:40 [CC **225**]
preventable death, **10:39** [CC
224]

HOMICIDE—Cont'd

Culpable homicide
defined, **10:33** [CC **222(4),**
(5)]
not by influence on mind,
10:45 [CC **228**]
Homicide
defined, **10:34** [CC **222(1)**]
exception re false evidence,
10:33 [CC **222(6)**]
kinds, **10:35** [CC **222(2)**]
Non-culpable homicide, **10:35,**
10:37 [CC **222(2), (3)**]

HOSTAGE TAKING

See also ABDUCTION;
HOSTAGE TAKING;
KIDNAPPING; TRAF-
FICKING IN PERSONS
Culpable homicide constituting
murder, **10:67** [CC
231(5)(f)]
Defences
compulsion (no defence), **2:50**
[CC **17**]
Defined, **10:327** [CC **279.1(1)**]
DNA order on conviction or dis-
charge, **20:77, 20:81** [CC
487.04, 487.051]
Internationally protected person,
outside Canada, **2:16** [CC
7(3)]
Offence outside Canada, **2:16,**
[CC **7(3), (3.1), (3.71)**]
Punishment
general, **10:327** [CC **279.1(2)**]
threat against internationally
protected person, **2:16,**
13:109 [CC **7(3), 424**]
where firearm used, **10:327**
[CC **279.1(2)(a), (a.1)**]
subsequent offences, **10:327**
[CC **279.1(2.1), (2.2)**]
United Nations or associated
personnel, outside Canada,

HOSTAGE TAKING—Cont'd
2:16 [CC 7(3.71)]

HUMAN TRAFFICKING
 See **TRAFFICKING, PERSONS**

**ICE, DUTY TO SAFEGUARD
 OPENING IN**
 Generally, **10:219, 10:218 [CC
 263(1), (3)]**

**IDENTIFICATION OF
 CRIMINALS**
 See also **FINGERPRINTING
 AND FINGERPRINTS;
 FORENSIC DNA ANALY-
 SIS**
 Failure to appear, for purposes
 of, **6:82 [CC 145(3), (4),
 (8), (9)]**
 Order to appear, **28:84.50, 39:38
 [CC 515.01, Form 11.1]**
 Summons, **20:6.50 [CC 485.2,
 Forms 6.1, 6.2]**

**IDENTITY THEFT AND
 IDENTITY FRAUD**
 Definition of identity informa-
 tion, **13:70 [CC 402.1]**
 Identity fraud, **13:72 [CC 403]**
 Identity theft, **13:71 [CC 402.2]**
 Trafficking in identity informa-
 tion, **13:71 [CC 402.2(2)]**

IGNORANCE OF LAW
 No defence, **2:58 [CC 19]**

IMPAIRED DRIVING
 See **MOTOR VEHICLES**

IMPORTING
 Anything knowing it will be
 used to produce ecstasy or
 methamphetamine, **44:21
 [CDA 7.1]**
 Anything knowing it will be
 used to traffic in ecstasy or

IMPORTING—Cont'd
 methamphetamine, **44:21
 [CDA 7.1]**
 Child pornography, **7:56 [CC
 163.1(3)]**
 Controlled substances, **44:17,
 44:18 [CDA 6(1), (3)]**
 Information promoting
 gambling, **9:20 [CC
 202(1)(g)]**
 assisting offence, **9:20 [CC
 202(1)(j)]**
 punishment, **9:22 [CC 202(2)]**
 Presumption from port of ship-
 ment, **13:90 [CC 414]**
 Proceeds of property obtained by
 crime
 in rem prohibition, **12:154
 [CC 355.3]**
 Prohibited weapon, **5:55, 5:56
 [CC 103, 104]**
 Property obtained by crime,
**12:154, 12:160 [CC 355.3,
 357]**
 in rem prohibition, **12:154
 [CC 355.3]**
 Restricted weapon, **5:55, 5:56
 [CC 103, 104]**
 Weapon, by serviceman, officer,
 museum, **5:89, 5:91 [CC
 117.07, 117.08]**

IMPRESSION WARRANT
 Generally, **20:109 [CC 487.092]**

IMPRISONMENT
 See **PUNISHMENT;
 SENTENCE**

INCEST
 Generally, **7:23 [CC 155]**
 No corroboration required,
10:277 [CC 274]
 Order of prohibition, **7:33 [CC
 161]**

INCEST—Cont'd

Removal of child from Canada
with intent, **10:275 [CC
273.3(1)(c)]**

INCITEMENT OF HATRED

Generally, **10:408 [CC 319]**

INCITEMENT TO MUTINY

Generally, **3:10 [CC 53]**

Evidence of overt acts, **3:12 [CC
55]**

statement in indictment,
**27:25, 27:77 [CC 581(4),
601(9)]**

Superior court jurisdiction, **19:1,
19:2 [CC 468, 469(a)(iv)]**

INCLUDED OFFENCES

Plea of guilty, **27:90 [CC 606(4)
to (4.4)]**

Specified included offences

in break, enter and commit,
27:253 [CC 662(6)]

in break, enter and steal
firearm, **27:253 [CC
662(6)]**

in criminal negligence causing
death/bodily harm,
27:253 [CC 662(5)]

in first degree murder, **27:255
[CC 662(2)]**

in infanticide/child murder,
27:257 [CC 662(4)]

in manslaughter, **27:253 [CC
662(5)]**

in murder, **27:256, 27:257
[CC 662(3), (4)]**

INDECENCY

See also EXPOSURE;
OBSCENITY

Exposure to person under 16,
7:92 [CC 173(2)]

Indecent act, **7:91 [CC 173(1)]**

INDECENCY—Cont'd

Indecent communications,
12:205 [CC 372(2)]

Indecent exhibition, **7:99 [CC
175(1)(b)]**

Indecent matter

delivery by mail, **7:74 [CC
168]**

punishment, **7:77 [CC 169]**

Indecent show, **7:42 [CC
163(2)(b)]**

motive irrelevant, **7:48 [CC
163(5)]**

punishment, **7:77 [CC 169]**

service of public good as
defence, **7:45, 7:47 [CC
163(3), (4)]**

Indecent theatrical performance

presenting or allowing, **7:75
[CC 168(1)]**

punishment, **7:77 [CC 169]**

taking part, **7:70 [CC 167(2)]**

INDECENT ACT

See INDECENCY

**INDEMNIFICATION OF
SURETY**

Acceptance by surety, **6:67 [CC
139(1)(b)]**

Of surety, **6:67 [CC 139(1)(a)]**

**INDICTMENT (FORM AND
SUBSTANCE)**

See also JOINDER OF
ACCUSED AND COUNTS

Amendment, **27:79, 27:80 [CC
601(2), (3)]**

adjournment where prejudice,
27:82 [CC 601(5)]

as question of law, **27:83 [CC
601(6)]**

at preliminary inquiry, **27:77
[CC 601(11)]**

INDICTMENT (FORM AND SUBSTANCE)—Cont'd

- Amendment, **27:79, 27:80** [CC **601(2), (3)**]—Cont'd
 - considerations on amendment, **27:81** [CC **601(4)**]
 - “court,” **27:77** [CC **601(10)**]
 - defect in form or substance, **27:77** [CC **601(3)(b), (c)**]
 - endorsement, **27:77** [CC **601(7)**]
 - indictment under wrong Act, **27:77** [CC **601(3)(a)**]
 - objection by motion to quash, **27:78** [CC **601(1)**]
 - record of amended indictment, **27:77, 27:121** [CC **601(7), 625**]
- Conviction of included offence, **27:253** [CC **662**]
- Form of indictment, **25:35, 39:14, 27:20** [CC **566(1), Form 4, 580**]
- mistake in heading, **27:77** [CC **601(8)**]
- Organizational accused
 - notice of indictment, **27:116** [CC **621**]
- Particulars, **27:43** [CC **587**]
 - amendment of indictment to conform, **27:43** [CC **587(3)(c)**]
 - consideration of evidence taken, **27:43** [CC **587(2)**]
 - endorsement in record, **27:43** [CC **587(3)(b)**]
 - general authority, **27:44** [CC **587(1)**]
 - provision to accused, **27:43** [CC **587(3)(a)**]
- Specific offences
 - theft from mails, **12:159** [CC **356(2)**]

INDICTMENT (FORM AND SUBSTANCE)—Cont'd

- Specific offences—Cont'd
 - theft of oysters, **12:32** [CC **323(2)**]
- Sufficiency of counts
 - general provisions
 - application of provisions, **27:27** [CC **581(6)**]
 - detail of circumstances, **27:24, 27:36** [CC **581(3), 583**]
 - headings, mistakes not material, **27:77** [CC **601(8)**]
 - no reference to prior convictions, **27:259** [CC **664**]
 - omissions not ground for objection, **27:36** [CC **583**]
 - single transaction, **27:22, 27:51** [CC **581(1), 590**]
 - statement of offence, **27:22, 27:23, 27:26** [CC **581(1), (2), (5)**]
- specific rules
 - fabricating evidence, **27:40** [CC **585**]
 - first degree murder, **27:35** [CC **582**]
 - fraud and false pretences, **27:41** [CC **586**]
 - high treason, **27:35** [CC **582**]
 - libel, **27:38** [CC **584**]
 - perjury and false statement, **27:40** [CC **585**]
 - treasonable offences, **27:25, 27:77** [CC **581(4), 601(9)**]

INDICTMENT (PREFERMENT OF)

- Authority to prefer, **27:2, 27:6** [CC **574, 577**]
- after deemed election
 - where no preliminary requested, **27:2** [CC **574(1.1), (1.2)**]
- after election
 - where no preliminary requested, **27:2** [CC **574(1.1), (1.2)**]
- after order to stand trial
 - by prosecutor, **27:3, 27:2** [CC **574(1), (1.2)**]
 - consent in private prosecutions, **27:2** [CC **574(3)**]
 - consent to inclusion of other charges, **27:2** [CC **574(2)**]
 - judge alone trials, **25:37, 25:41** [CC **566(3), 566.1**]
- after re-election
 - where no preliminary requested, **27:2** [CC **574(1.1), (1.2)**]
- where discharge at preliminary, consent required, **27:6** [CC **577(a), (b)**]
- where no preliminary, consent required, **27:6** [CC **577(a), (b)**]
- where no preliminary requested, **27:2** [CC **574(1.1), (1.2)**]
- where preliminary has commenced, consent required, **27:6** [CC **577(a), (b)**]
- where preliminary not yet requested, consent required, **27:6** [CC **577(a), (b)**]

INDICTMENT (PREFERMENT OF)—Cont'd

- Bail, effect on, **21:104** [CC **523(1.2)**]
- Form of indictment, **25:36, 39:14, 25:41, 27:20** [CC **566(2), Form 4, 566.1(2), 580**]
- No preferment except as provided, **27:5** [CC **576(1)**]

INDUSTRIAL DISPUTE

- Watching or besetting, **13:101** [CC **423**]
- Work stoppage
 - and criminal breach of contract, **13:100** [CC **422(2)**]
 - and mischief, **14:11** [CC **430(6)**]
 - and sabotage, **3:9** [CC **52(3)**]
 - not conspiracy, **18:22** [CC **467(1)**]

INFANTICIDE

- See also **HOMICIDE**
- Concealing body as included offence, **27:257** [CC **662(4)**]
- Conviction barring charge of manslaughter or murder, **27:109** [CC **610(2), (4)**]
- Conviction unless act or omission not wilful, **27:258** [CC **663**]
- Definition, **10:78** [CC **233**]
- Punishment, **10:88** [CC **237**]

INFERENCES

- See **PRESUMPTIONS AND INFERENCES**

INFORMANT

- Defined, **38:1** [CC **785**]
- Hearing of allegations, **21:45, 21:52** [CC **507, 507.1**]

INFORMATION

- See also DISCLOSURE;
INDICTMENT (FORM
AND SUBSTANCE);
PRIVATE PROSECUTION
- After arrest or appearance notice,
21:40 [CC 505]
 - cancelling or confirming pro-
cess, **21:54 [CC**
508(1)(b)]
 - no laying except as provided,
27:5 [CC 576(2)]
- Arrest or detention, on, **2:26**
[CC 10]
- Certified copy, **38:57 [CC 808]**
- Confirmation by designated
justice/ provincial court
judge, **27:19 [CC 579.1]**
- Endorsement
 - committal on consent, **23:84**
[CC 549(2)]
 - conviction or order, **25:51**
[CC 570(1)]
 - election of accused, **25:11,**
25:14 [CC 555(3),
555.1(3)]
- Form of information, **21:42 [CC**
506]
- Hearing by justice, **21:45 [CC**
507]
 - issue of process, **21:45, 21:49,**
21:50 [CC 507(1)(b),
(4), (5)]
 - refusal to issue, **21:47 [CC**
507(2)]
 - release of accused, **21:51,**
21:45 [CC 507(6), (7)]
- Inspection, **27:85 [CC 603]**
- Laying before justice, **21:32 [CC**
504]
 - laying otherwise than in
person, **21:58 [CC 508.1]**
 - no laying except as provided,
27:5 [CC 576(2)]

INFORMATION—Cont'd

- Laying before justice, **21:32 [CC**
504]—Cont'd
 - referral in private prosecution,
27:19 [CC 579.1]
 - young offenders, **42:13**
[YCJA 10(6)]
- Motion to quash, **27:77 [CC**
601]
 - adjournment, **27:93 [CC**
606(3)]
- Private prosecution, in, **27:19**
[CC 579.1]
- Reasons for arrest or detention,
41:57 [CA 10(a)]
- Referral in private prosecution,
27:19 [CC 579.1]
- Severance of counts or accused,
27:57 [CC 591(3)]
- Specific offence charged, **41:63**
[CA 11(a)]
- Variance between charge and
evidence, **27:79 [CC**
601(2)]
- Variance not affecting validity,
23:74 [CC 546]
 - adjournment if accused mis-
led, **23:76 [CC 547]**
- Where injury or damage feared,
38:61, 42:17, 42:23 [CC
810, YCJA 14(2), 20(2)]

INNOCENCE, PRESUMPTION OF

- Generally, **2:13, 41:63 [CC**
6(1)(a), CA 11(d)]

INSANE PERSONS AND INSANITY

- See ASSESSMENTS (MENTAL
DISORDER); DISPOSI-
TIONS AND DISPOSI-
TION HEARINGS
(MENTAL DISORDER);
FITNESS TO STAND
TRIAL: HOSPITAL

**INSANE PERSONS AND
INSANITY—Cont'd**

ORDERS;
INTERPROVINCIAL
TRANSFERS; REVIEW
BOARDS

INSANITY AS DEFENCE

See MENTAL DISORDER

INSIDER TRADING

Generally, **13:25, 13:33 [CC
380.1, 382.1]**

**INSPECTION OF
DOCUMENTS**

Banking record, **40:85 [CEA
29(6), (7)]**

Business record, **40:90 [CEA
30(7)]**

Trial by indictment, **27:85 [CC
603]**

INSTRUMENT

See also DOCUMENT;
TESTAMENTARY
INSTRUMENT

Acknowledgement in false name,
13:77 [CC 405]

For forging or falsifying credit
cards, **12:78 [CC 342.01]**

Obtain by forged document,
12:210 [CC 375]

INSURANCE

Presumption against insured
setting fire, **14:35 [CC 435]**

Proof of loss, **40:148 [CEA 42]**

**INTERCEPTION OF PRIVATE
COMMUNICATIONS**

Agent of state, **8:11 [CC 184.1]**

Authorization

application, **8:20 [CC 185]**

confidentiality, **8:36 [CC
187]**

**INTERCEPTION OF PRIVATE
COMMUNICATIONS**

—Cont'd

Authorization—Cont'd

application, **8:20 [CC 185]**

—Cont'd

exception for criminal
organizations and ter-
rorist groups, **8:20
[CC 185(1.1)]**

assistance order, **20:73 [CC
487.02]**

both private communications
and radio-based
telephone communica-
tions, **8:19 [CC 184.6]**

consent, **8:12, 8:15 [CC
184.2, 184.3]**

contents, **8:30 [CC 186(4)]**
disclosure, **8:36 [CC 187]**

designation of persons, **8:31
[CC 186(5)]**

emergency, **8:42 [CC 188]**
subsequent authorization
admissibility of evi-
dence, **8:42 [CC
188(5)]**

execution in another province,
8:44 [CC 188.1]

installation and removal of
device, **8:26 [CC
186(5.1)]**

notification by Attorney Gen-
eral, **8:63 [CC 196]**

accompanied by affidavit,
8:63 [CC 196(4)]

application to delay, **8:63
[CC 196(3)]**

exception for criminal
organizations and ter-
rorist groups, **8:63
[CC 196(5)]**

removal, **8:26 [CC 186(5.1),
(5.2)]**

INTERCEPTION OF PRIVATE COMMUNICATIONS

—Cont'd

- Authorization—Cont'd
 - renewal, **8:32, 8:33 [CC 186(6), (7)]**
 - requirements, **8:27 [CC 186(1)]**
 - exception for criminal organizations and terrorism offences, **8:26 [CC 186(1.1)]**
 - time limitation in relation to criminal organizations and terrorism offences, **8:35 [CC 186.1]**
 - where interception with consent, **8:12, 8:15 [CC 184.2, 184.3]**
- Consent to interception, **8:4, 8:5 [CC 183.1, 184(2)(a)]**
- Definitions, **8:1 [CC 183]**
- Disclosure of packet contents, **8:36 [CC 187]**
- Evidence (primary)
 - admissibility, **8:11, 8:42 [CC 184.1(2), 188(5)]**
 - notice of intention to adduce, **8:47 [CC 189(5)]**
 - particulars, **8:50 [CC 190]**
 - privileged information, **8:47 [CC 189(6)]**
- Immediate interception, imminent harm, **8:5 [CC 184]**
 - annual report re, **8:62 [CC 195(1)(c), (2.1), (3), (5)(c)]**
 - notice to object of interception, **8:64 [CC 196.1]**
 - extension of notice period, **8:64 [CC 196.1(2) to (5)]**

INTERCEPTION OF PRIVATE COMMUNICATIONS

—Cont'd

- Interception to prevent bodily harm, **8:11, 8:16 [CC 184.1, 184.4]**
- No civil or criminal liability, **8:46 [CC 188.2]**
- Offences
 - possession of device, **8:52 [CC 191(1)]**
 - exceptions, **8:53, 8:51 [CC 191(2), (3)]**
 - forfeiture, **8:54 [CC 192]**
 - unlawful disclosure, **8:57, 8:60 [CC 193(2), 193.1]**
 - damages, **8:61 [CC 194]**
 - exceptions, **8:57, 8:55 [CC 193(2), (3)]**
 - unlawful interception, **8:6 [CC 184(1)]**
 - damages, **8:61 [CC 194]**
 - exceptions, **8:5, 8:8 [CC 184(2), (3)]**
 - forfeiture, **8:54 [CC 192]**
 - radio-based telephone communications, **8:18, 8:19 [CC 184.5, 184.6]**
 - report, annual, **8:62 [CC 195]**
- Packet opening and disclosure, **8:36 [CC 187]**

INTEREST (CRIMINAL RATE)

- Agreement re, **12:98.50 [CC 347.01(1)]**
- Arrangement re, **12:98.50 [CC 347.01(1)]**
- Non-application — offers and advertisements, **12:98.50 [CC 347.01(2)]**
- Offence, **12:97 [CC 347]**
- Regulations, **12:98.50 [CC 347.01(3)]**

INTERNATIONAL AIRPORT

See also AIRPORT

Offence inside Canada, **3:47**
[CC 77(f)]

Offence outside Canada, **2:16**
[CC 7(2)(d)]

consent to prosecution, **2:16**
[CC 7(7)]

deemed committed in Canada,
2:16 [CC 7(2)]

prosecution outside Canada,
2:16 [CC 7(6)]

INTERNATIONAL LAW

Protection of persons under, **2:16**
[CC 7(10)]

Retroactive offence, **41:63** [CA
11(g)]

**INTERNATIONALLY
PROTECTED PERSON**

Attack on premises, **14:19** [CC
431]

defence, **14:4** [CC 429(2)]

DNA order on conviction or
discharge, **20:77, 20:81**
[CC 487.04, 487.051]

Consent to prosecution, **2:16**
[CC 7(7)]

Hostage taking outside Canada,
2:16 [CC 7(3.1)]

Offences against outside Canada,
2:16 [CC 7(3), (5) to (7)]

Proof of status
certificate as evidence, **2:16**
[CC 7(10)]

Threatening, **13:109** [CC 424]

**INTERNATIONAL MARITIME
NAVIGATION**

See MARITIME NAVIGATION,
INTERNATIONAL

INTERNET

See also CHILD
PORNOGRAPHY;

INTERNET—Cont'd

COMPUTERS; DATA

Child pornography
deletion order, **7:64** [CC
164.1(5)]

destruction of electronic cop-
ies, **7:64** [CC **164.1(6)**]

forfeiture, **7:65** [CC **164.2**]

seizure, **7:64** [CC **164.1**]

Hate propaganda, warrant of
forfeiture, **10:412** [CC
320.1]

Luring child, **7:84** [CC **172.1**]

Prohibition order, **7:33** [CC
161(1)(d), (1.1) to (4)]

Service providers

interception of private com-
munications by

authorized disclosure, **8:55**
[CC **193(2)(d)(iii)**]

authorized interception, **8:5**
[CC **184(2)(e)**]

authorized retention and
use, **8:8** [CC **184(3)**]

INTERPRETER

Deaf person, **41:77** [CA **14**]

Person not knowing language,
41:77 [CA **14**]

**INTER-PROVINCIAL
TRANSFERS (MENTAL
DISORDER)**

Authority, **28:93** [CC **672.86**]

Delivery and detention of
accused, **28:95** [CC **672.87**]

Jurisdiction of Review Board,
28:96, 28:97 [CC **672.88,**
672.89]

**INTERVENING BY
ATTORNEY GENERAL OF
CANADA**

Generally, **27:19, 27:18** [CC
579.1, 579.01]

INTIMATE IMAGES

- See also VOYEURISM
- Defence, 7:39 [CC 162.1(3)]
- Definition, 7:39, 7:61 [CC 162.1(2), 164(8)]
- Fact, question of, 7:39 [CC 162.1(4)]
- Law, question of, 7:39 [CC 162.1(4)]
- Motive, 7:39 [CC 162.1(4)]
- Offence, 7:40 [CC 162.1(1)]
- Prohibition order, 7:41 [CC 162.2]

INTIMIDATING PARLIAMENT OR LEGISLATURE

- Offence, 3:8 [CC 51]
- evidence of, 3:12 [CC 55]
- overt acts, 3:12 [CC 55]
- statement in indictment,
27:25, 27:77 [CC 581(4),
601(9)]
- Superior court jurisdiction, 19:1,
19:2 [CC 468, 469(a)(iii)]

INTIMIDATION

- Offence relating to justice
system participant, 13:108
[CC 423.1]
- bail conditions, 21:75 [CC
515(4.1) to (4.2)]
- murder during deemed first
degree, 10:67 [CC
231(6.2)]
- recognizance to prevent, 38:67
[CC 810.01]
- witness protections in cases
involving, 20:8 to 20:19,
20:22, 21:75, 21:82 [CC
486 to 486.31, 486.5,
515(4.1) to (4.2), (6)]
- Offence simpliciter, 13:101 [CC
423]
- bail conditions, 21:75 [CC
515(4.1) to (4.2)]

INTIMIDATION—Cont'd

- Offence simpliciter, 13:101 [CC
423]—Cont'd
- murder during deemed first
degree, 10:67 [CC
231(6.2)]
- offence relating to journalist,
13:108 [CC 423.1]
- recognizance to prevent, 38:67
[CC 810.01]
- witness protections in cases
involving, 20:8 to 20:19,
20:22, 21:75, 21:82 [CC
486 to 486.31, 486.5,
515(4.1) to (4.2), (6)]
- Offences relating to health ser-
vices
- generally, 13:108.50 [CC
423.2]
- defence, 13:108.50 [CC
423.2(4)]
- “health professional,”
13:108.50 [CC 423.2(5)]
- interference with access,
13:108.50 [CC 423.2(2)]
- obstruction, 13:108.50 [CC
423.2(2)]
- punishment, 13:108.50 [CC
423.2(3)]

INTOXICATION, DEFENCE OF

- Generally, 2:19, 2:40 [CC 8, 16]
- Extreme, 2:116 [CC 33.1]
- Negligence, violence by, 2:116
[CC 33.1]

INVASION OF PRIVACY

- See INTERCEPTION OF
PRIVATE COMMUNICA-
TIONS

INVITATION TO SEXUAL TOUCHING

- See SEXUAL TOUCHING
(INVITATION TO)

ISSUE ESTOPPEL

Generally, **2:19, 2:32, 41:63**
[CC 8, 12, CA 11(h)]

JOINDER OF ACCUSED AND COUNTS

See also INDICTMENT (FORM AND SUBSTANCE)

Of accused

accessory after fact, **27:60**
[CC 592]

possession of property
obtained by crime, **27:64**
[CC 593]

Of counts, **27:55** [CC 591(1)]

consent of accused, **25:37,**
27:2, 27:48 [CC 566(3),
574(2), 589]

on indictment for murder,
27:48 [CC 589]

severance (separate trials)

delayed enforcement, **27:54**
[CC 591(4.1)]

effect on prior Charter deci-
sions, **27:54** [CC
591(4.2)]

effect on prior evidentiary
decisions, **27:54** [CC
591(4.2)]

effect on verdict, **27:58,**
27:59 [CC 591(4), (5)]

of accused, **27:54** [CC
591(3)(b)]

of counts, **27:54** [CC
591(3)(a)]

JOINT TRIALS

See JOINDER OF ACCUSED
AND COUNTS

JOY-RIDING

Generally, **12:61** [CC 335]

JUDGMENT

Acknowledgment in false name,
13:77 [CC 405]

JUDICIAL ACTS

Effect of, **2:1** [CC 3.1]

**JUDICIAL INTERIM
RELEASE**

See also APPEARANCE

NOTICE; PROMISE TO
APPEAR;

RECOGNIZANCE; SUM-
MONS; UNDERTAKING

“Accused,” **21:1** [CC 493]

By justice

aboriginal accused, **21:75** [CC
515(14)]

alternative to physical pres-
ence, **21:75** [CC
515(2.2), (2.3)]

appearance of accused before
justice, **21:28, 21:30** [CC
502.1, 503(1)]

authority, **21:76** [CC 515(1)]

community’s safety and secu-
rity, **21:75** [CC 515(13)]

conditions, additional, **21:75**
[CC 515(4.1), (4.2)]

detention, re-evaluation of,
21:29 [CC 503(1.1)]

form of order, **21:78 to 21:80**
[CC 515(2) to (4)]

inquiries to be made by
justice, **21:89** [CC 518]

justification for detention,
21:75 [CC 515(10)]

order re no communication,
21:75 [CC 515(12)]

release of accused, **21:92** [CC
519(1), (2)]

reverse onus, **21:81 to 21:84**
[CC 515(5) to (8)]

victim’s safety and security,
21:75 [CC 515(13)]

vulnerable populations, **21:75**
[CC 515(14)]

By superior court judge

authority, **21:100, 21:99** [CC
522(1), (6)]

JUDICIAL INTERIM

RELEASE—Cont'd

- By superior court judge—Cont'd
 - detention order, **21:101, 21:99** [CC 522(2), (2.1)]
 - form of order, **21:102** [CC 522(3)]
 - order re no communication, **21:99** [CC 522(2.1)]
 - release of accused, **21:99** [CC 522(5)]
 - reverse onus, **21:101** [CC 522(2)]
 - undertaking, **21:102** [CC 522(3)]
- Direct indictment, effect on, **21:104** [CC 523(1.2)]
- Expediting proceedings, **21:115** [CC 526]
- Failure to comply with conditions
 - generally, **21:107, 21:108** [CC 523.1, 524]
 - cancellation, **21:111** [CC 524(3)]
 - circumstances, **21:107, 21:110** [CC 523.1(2), 524(2)]
 - detention, **21:108, 21:112** [CC 524(4), 525]
 - dismissal of charge, **21:107** [CC 523.1(4)]
 - hearing, **21:109** [CC 524(1)]
 - judicial referral hearing, **21:107** [CC 523.1(1)]
 - powers of judge/justice, **21:107** [CC 523.1(3), (5)]
 - reasons, **21:108** [CC 524(6)]
 - release, **21:108** [CC 524(7)]
 - release order, **21:108** [CC 524(5)]
 - review, **21:108, 21:112** [CC 524(9), (10), 525]

JUDICIAL INTERIM

RELEASE—Cont'd

- Hearing
 - appearance of accused, **21:75** [CC 515(2.1)]
 - evidence, **21:89** [CC 518]
 - inquiries by justice, **21:89** [CC 518]
 - non-publication order, **21:87** [CC 517]
 - failure to comply, **21:87** [CC 517(2)]
 - remand, **21:86** [CC 516]
 - “Judge,” **21:1** [CC 493]
- Order for detention, **21:81, 21:75** [CC 515(5), (b), (10), (11)]
- conditions, **21:75** [CC 515(12)]
- Principles and consideration
 - generally, **21:2, 21:4** [CC 493.1, 493.2]
 - Aboriginal accused, **21:4** [CC 493.2]
 - restraint, **21:2** [CC 493.1]
 - vulnerable populations, **21:4** [CC 493.2]
- Procedure on hearing before justice
 - adjournment, **21:86** [CC 516]
 - appearance of accused, **21:75** [CC 515(2.2)]
 - detention order, **21:92** [CC 519(3), (12)]
 - effect of order after direct indictment, **21:104** [CC 523(1.2)]
 - evidence and inquiries, **21:90** [CC 518(1)]
 - form of release, **21:78 to 21:80** [CC 515(2) to (4)]
 - grounds for detention, **21:75** [CC 515(10)]
 - non-publication order, **21:88** [CC 517(1)]

JUDICIAL INTERIM

RELEASE—Cont'd

- Procedure on hearing before justice—Cont'd
 - onus, **21:76** [CC 515(1)]
 - period of order, **21:105, 21:104** [CC 523(1), (1.1), (1.2)]
 - release of accused, **21:92** [CC 519(1), (2)]
 - reverse onus, **21:82 to 21:84** [CC 515(6) to (8)]
 - review of order, **21:94, 21:97** [CC 520, 521]
- Procedure on hearing before superior court judge, **21:87, 21:90, 21:92, 21:99** [CC 517, (6), 518(1), 519, 522(5)]
- Release by judge, **21:99** [CC 522]
 - conditions, **21:99** [CC 522(2.1)]
 - form, **39:37** [CC Form 11]
- Review of order made by justice, **21:94, 21:97, 21:106** [CC 520, (3), 521, 523(2)]
 - adjournment of hearing, **21:94, 21:97** [CC 520(4), 521(4)]
 - authority to apply, **21:95, 21:98, 21:106** [CC 520(1), 521(1), 523(2)]
 - detention of accused, **21:92, 21:94, 21:97, 21:104** [CC 519(3), (8)(e), 520(7)(d), 521(6), 523(3)]
 - evidence and inquiries, **21:89, 21:94, 21:97, 21:104** [CC 518, 520(7)(a) to (c), 520(9), 521(8)(a) to (c), 521(10), 523(3)]
 - further applications, **21:94, 21:97** [CC 520(8), 521(9)]

JUDICIAL INTERIM

RELEASE—Cont'd

- Review of order made by justice, **21:94, 21:97, 21:106** [CC 520, (3), 521, 523(2)]
 - Cont'd
 - isposition, **21:94, 21:97, 21:104** [CC 520(7)(d), (e), 521(8)(d), 523(3)]
 - non-publication order, **21:87, 21:94, 21:97, 21:104** [CC 517, 520(9), 521(10), 523(3)]
 - notice, **21:96, 21:97** [CC 520(2), 521(2)]
 - presence of accused, **21:94, 21:97** [CC 520(3), (5), (6), 521(3)]
 - release of accused, **21:92, 21:94, 21:97, 21:104** [CC 519, 520(7)(e), 520(9), 521(8)(d), 521(10), 523(3)]
- Review of order made by superior court judge, **21:103, 21:99, 21:104, 29:34** [CC 522(4), (iii), 523(2)(c)(ii), 680]
- Trial delay review hearings, **21:112** [CC 525]
 - application, timing of, **21:113** [CC 525(1)]
 - cancellation of hearing, **21:112** [CC 525(3)]
 - conduct of hearing, **21:87 to 21:92** [CC 517 to 519]
 - “judge” defined in Quebec, **21:112** [CC 525(7)]
 - order to be made, **21:112** [CC 525(4)]
 - progress of proceedings, **21:112** [CC 525(4)]
 - release order, **21:112** [CC 525(5)]

JUDICIAL INTERIM

RELEASE—Cont'd

- Trial delay review hearings,
21:112 [CC 525]—Cont'd
- surety, declaration of, 21:85
[CC 515.1]
- timing of application, 21:113
[CC 525(1)]
- waiver, 21:112 [CC 525(1.1)]
- Variation of release order, 21:93
[CC 519.1]
- Victim's safety and security,
21:75 [CC 515(13)]
- "Warrant," 21:1 [CC 493]

JUDICIAL NOTICE

- See also STATUTES
- Acts of Imperial Parliament,
40:66 [CEA 17]
- Acts of Parliament, 40:70 [CEA
18]
- Acts of provincial legislature,
40:66 [CEA 17]
- Rules, regulations, by-laws,
37:21 [CC 781(2)]

JUDICIAL OFFICER

- Bribery, 6:4 [CC 119]

JUDICIAL PROCEEDING

- Certified copy as evidence,
40:75 [CEA 23]
- Defined, 6:1 [CC 118]
- Evidence previously taken,
31:45, 38:108 [CC 715,
822(5)]

JURISDICTION

- See also ADJOURNMENT;
NUNAVUT COURT OF
JUSTICE; VENUE
- Accused not present, 20:4 [CC
485(1.1)]
- Continuation of proceedings,
27:273 [CC 669.2]

JURISDICTION—Cont'd

- Court of criminal jurisdiction
"court of criminal jurisdic-
tion," 1:3 [CC 2]
- jurisdiction over person, 19:3
[CC 470]
- offence jurisdiction, 19:2 [CC
469]
- rule-making authority, 19:35
[CC 482(2), (3)]
- Defects in jurisdiction
defects in jury process, 27:277
to 27:279 [CC 670 to
672]
- procedural irregularities, 20:4
[CC 485]
- Provincial court judge
absolute jurisdiction, 25:2
[CC 553]
- consent jurisdiction, 23:8 [CC
536(3)]
- decide to hold preliminary
inquiry, 25:11 [CC 555]
- jurisdiction over person, 19:3
[CC 470]
- "provincial court judge," 1:3
[CC 2]
- Superior court of criminal juris-
diction
exclusive jurisdiction, 19:2,
19:8 [CC 469, 473]
- general jurisdiction, 19:1 [CC
468]
- jurisdiction over person, 19:3
[CC 470]
- rule-making authority, 19:36,
19:35 [CC 482(1), (3)]
- "superior court of criminal
jurisdiction," 1:3 [CC 2]
- Territorial (offence) jurisdiction
breach of probation, 34:128
[CC 740(2)]
- consent of Attorney General,
19:21 [CC 477.2]

JURISDICTION—Cont'd

- Territorial (offence) jurisdiction
 - Cont'd
 - conspiracy in or out of Canada, **18:13** [CC 465(5)]
 - credit card offences, **12:76** [CC 342(2)]
 - defamatory libel, **19:29** [CC 479(2), (5)]
 - newspaper libel, **19:27** [CC 478(2)]
 - offence between territorial divisions, **19:14** [CC 476(a), (b)]
 - offence elsewhere in province, **19:29** [CC 479]
 - offence in, above or beyond continental shelf, **19:20** [CC 477.1]
 - offence in aircraft in flight, **19:14** [CC 476(d)]
 - offence in fishing zone, **19:20** [CC 477.1(b)]
 - offence in territorial waters, **19:19, 19:21** [CC 477, 477.2]
 - offence in unorganized territory, **19:30** [CC 480]
 - offence in vehicle or vessel, **19:14** [CC 476(c)]
 - offence not in province, **19:31** [CC 481]
 - offence re delivery of mail, **19:14** [CC 476(e)]
 - offences outside Canada, **2:15, 2:16, 19:20, 19:33** [CC 6(2), 7, 477.1, 481.2]
 - sexual offences against children outside Canada, **2:16** [CC 7(4.1), (4.2)]
- Trial judge appointed to another court, **27:276** [CC 669.3]
- Trial judge dies or unable to continue, **27:273** [CC 669.2]

JURY

- Additional jurors
 - see empanelling jury
- Adjournment when no jury summoned, **19:10** [CC 474]
- Alternate jurors
 - see empanelling jury
- Challenges
 - challenge for cause, **27:148** [CC 638]
 - challenge in writing, **27:153, 39:73** [CC 639, Form 41]
 - denial of challenge, **27:153** [CC 639(3)]
 - grounds, **27:148** [CC 638]
 - trial of challenge, **27:154** [CC 640]
- challenge to array, **27:130** [CC 629]
- direction to return new panel, **27:132** [CC 630]
- trial of challenge, **27:132** [CC 630]
- peremptory challenges
 - of mixed jury, **27:128, 27:145** [CC 627, 635]
 - order of challenge, **27:145** [CC 635]
- Discharge of jurors
 - alternate jurors, **27:161** [CC 642.1(2)]
 - from verdict on severed count, **27:58** [CC 591(4)]
 - of juror during trial, **27:165, 27:166** [CC 644(1), (2)]
 - of jury on disagreement, **27:229** [CC 653(1)]
- Disclosure of proceedings, **27:193** [CC 649]
- Effect of noncompliance, **27:162** [CC 643(3)]

JURY—Cont'd

- Empanelling jury
 - additional jurors
 - power to order, **27:133 [CC 631(2.2)]**
 - reduction of number to 12, **27:226 [CC 652.1(2)]**
 - alternate jurors
 - calling persons who have stood by, **27:158 [CC 641(1)]**
 - cards to be drawn, **27:133 [CC 631(3) to (3.1)]**
 - discharge of, **27:161 [CC 642.1(2)]**
 - drawing additional names, **27:133 [CC 631(5)]**
 - limit on access/use of information, **27:133 [CC 631(6)]**
 - power to order, **27:133 [CC 631(2.1)]**
 - publication ban, **27:133 [CC 631(6)]**
 - separation of names, **27:162 [CC 643(1.1)]**
 - substitution of, **27:161 [CC 642.1(1)]**
 - summoning other jurors
 - when panel exhausted, **27:160 [CC 642(1)]**
 - swearing of, **27:133 [CC 631(4)]**
 - automated means, **27:136.50 [CC 631.1]**
 - by sheriff, before swearing, **27:133 [CC 631]**
 - calling persons who have stood by, **27:158 [CC 641]**
 - composition of jury, ultimate, **27:163 [CC 643(1)]**
 - defect in process
 - judgment not stayed, **27:277 [CC 670]**

JURY—Cont'd

- Empanelling jury—Cont'd
 - electronic means, **27:136.50 [CC 631.1]**
 - excusing, by judge, **27:137 [CC 632]**
 - irregularities not affecting verdict, **27:277, 27:278 [CC 670, 671]**
 - presiding judge, **27:127 [CC 626.1]**
 - protection of juror identity, **27:133 [CC 631(3.1), (6)]**
 - publication ban to protect jurors, **27:133 [CC 631(6)]**
 - separation of names, **27:162 [CC 643(1.1)]**
 - summoning additional jurors
 - when panel exhausted, **27:159 [CC 642]**
- Evidence on trial
 - admissions at trial, **27:235 [CC 655]**
 - character evidence, **27:262 [CC 666]**
 - children's evidence, **27:248 [CC 659]**
 - of stealing ores or minerals, **27:237 [CC 656]**
 - previous conviction, **27:259, 27:261, 27:268 [CC 664, 665, 667]**
 - proof of age, **27:246 [CC 658]**
 - proof of ownership and value of property, **27:239 [CC 657.1]**
 - statement of accused, **27:238 [CC 657]**
- Influencing juror, **6:67 [CC 139(3)(b), (c)]**
- Limit on access/use of information re, **27:133 [CC 631(6)]**

JURY—Cont'd

- Powers of court preserved,
27:279 [CC 672]
- Presence of accused during trial,
27:199, 27:200, 27:205,
27:208 [CC 650(1) to (2),
650.01, 650.02]
- Publication ban to protect,
27:133 [CC 631(6)]
- Qualification of jurors, 27:124
[CC 626]
- Reduction of number to 12,
27:226 [CC 652.1(2)]
- Refreshment, food and lodging,
27:189 [CC 647(5)]
- Separation of jurors, 27:185 [CC
647(1)]
 - restriction on publication,
27:190 [CC 648]
 - failure to comply, 27:192
[CC 648(2)]
- Sequestration, 27:186 [CC
647(2)]
- Stand bys
 - by judge, 27:139 [CC 633]
 - calling persons who have
stood by, 27:158 [CC
641]
- Support for juror with physical
disability, 27:128 [CC 627]
- Treason or high treason
 - copy of panel delivered to
accused, 27:87 [CC 604]
- Trial by jury compulsory, 19:5
[CC 471]
 - exception, 19:8 [CC 473]
- Trial of issues, 27:162, 27:226
[CC 643(2), 652.1]
- Trial without jury on consent,
19:8 [CC 473]
- Verdict
 - defect in process not ground
for quashing, 27:278 [CC
671]

JURY—Cont'd

- Verdict—Cont'd
 - disagreement upon verdict,
27:228 [CC 653]
 - recommendation in murder by
young person, 34:176
[CC 745.3]
 - recommendation in second
degree murder, 34:172,
34:176, 34:175 [CC
745.2, 745.3, 745.21]
 - recommendation where
multiple murders, 34:175
[CC 745.21]
 - review of parole ineligibility,
34:184 [CC 745.6]
 - taking on Sunday, 27:234 [CC
654]
- View by jury, 27:224 [CC 652]
- Warning concerning children's
evidence, 27:248 [CC 659]

**JUSTICE SYSTEM
PARTICIPANT**

- Bail conditions to protect, 21:75
[CC 515(4.1) to (4.2)]
- Defined, 1:3 [CC 2]
- Exclusion of public to protect,
20:8 [CC 486]
- Intimidation of, 13:108 [CC
423.1]
 - murder during deemed first
degree, 10:67 [CC
231(6.2)]
 - recognizance, to prevent,
38:67 [CC 810.01]
- Protection of, 20:8 to 20:17,
20:22, 38:67 [CC 486 to
486.3, 486.5, 810.01]
- Publication ban to protect, 20:22
[CC 486.5(2) to (9)]
- Recognizance, to protect, 38:67
[CC 810.01]
- Remote attendance by, 32:1 to
32:6 [CC 715.21 to 715.26]

JUSTICE SYSTEM

PARTICIPANT—Cont'd

Revise, application to, **20:23.50**
[CC 486.51]

Testimony outside courtroom,
20:16 [CC 486.2(2) to (6)]

Vary, application to, **20:23.50**
[CC 486.51]

JUSTIFICATION

See also DEFENCES

In offences requiring wilfulness,
14:4 [CC 429(2)]

Plea in defamatory libel, **27:111**,
27:112 [CC 611, 612]

KIDNAPPING

See also ABDUCTION;
CONFINEMENT;
HOSTAGE TAKING

Causing death, **10:67** [CC
231(5)(a)]

Internationally protected person
outside Canada, **2:16** [CC
7(3)]

outside Canada, **2:16** [CC
7(5) to (7)]

threat to kidnap, **13:109** [CC
424]

Offence, **10:312** [CC 279(1)]

Punishment where firearm used,
10:311 [CC 279(1.1)(a),
(a.1)]

subsequent offences, **10:311**
[CC 279(1.2), (1.3)]

Punishment where victim under
16, **10:311** [CC
279(1.1)(a.2), (1.21)]

factors to consider, **10:311**
[CC 279(1.21)]

United Nations or associated
personnel, outside Canada,
2:16 [CC 7(3.71)]

LANGUAGE OF COURT

Generally, **41:85** [CA 19]

LANGUAGE OF COURT

—Cont'd

And provincial laws, **22:12** [CC
532]

Change of venue, **22:11** [CC
531]

Coming into force, **22:15** [CC
534]

Jury

mixed jury in Quebec, **27:128**
[CC 627]

Language used in proceeding,
22:9 [CC 530.2]

Regulations, **22:13** [CC 533]

Review of provisions, **22:14**
[CC 533.1]

Right of accused, **22:1 to 22:6**
[CC 530 to 530.1]

Translation of documents, **22:5**
[CC 530.01]

LAUNDERING PROCEEDS OF CRIME

See also PROCEEDS OF
CRIME

Generally, **17:2** [CC 462.31]

Controlled drug offences, **44:19**
[CDA 7]

LAW ENFORCEMENT IMMUNITY

Authorization to commit unlaw-
ful acts or omissions

civilian oversight, **2:96** [CC
25.1(3.1)]

controlled drugs and sub-
stances offences, **2:96**
[CC 25.1(14)]

definitions, **2:96** [CC 25.1(1)]

designation of public officers,
2:96 [CC 25.1(3) to (7)]

designation of senior officials,
2:96 [CC 25.1(5)]

justification for acts and omis-

LAW ENFORCEMENT

IMMUNITY—Cont’d

- Authorization to commit unlawful acts or omissions—Cont’d
 - sions, **2:96** [CC 25.1(8), (10)]
 - limitation on, **2:96** [CC 25.1(11), (13) to (14)]
 - notification of affected parties, **2:99** [CC 25.4]
 - principle, **2:96** [CC 25.1(2)]
 - reporting requirements, **2:97**, **2:98** [CC 25.2, 25.3]
 - requirements for certain acts, **2:96** [CC 25.1(9)]
- General protection, **2:89**, **2:90** [CC 25(1), (2)]
 - citizen’s arrest, **21:5** [CC 494(4)]
 - exception, **2:91** [CC 25(3)]
- Regulations relating to, **44:97** [CDA 55(2) to (2.1)]
- Use of force, authorized
 - aircraft, aboard, **2:104** [CC 27.1]
 - arrest, in course of, generally, **2:92** [CC 25(4)]
 - arrest of wrong person, **2:105** [CC 28]
 - escape from penitentiary, in case of, **2:93** [CC 25(5)]
 - limits upon, **2:100** [CC 26]
 - preventing breach of peace, **2:109** [CC 30]
 - preventing commission of offence, **2:102**, **2:104** [CC 27, 27.1]
 - suppressing riots, **2:113**, **2:115** [CC 32, 33]

LEGAL ASSISTANCE

- On appeal, **29:53**, **29:121**, **38:137** [CC 684, 694.1, 839(2)]

LEGAL ASSISTANCE—Cont’d

- On trial of issue, **27:114** [CC 615]

LEGAL RIGHTS

- Arbitrary detention or imprisonment prohibited, **41:52** [CA 9]
- Arrest or detention, rights on, **41:57** [CA 10]
- Bail, **41:63** [CA 11(e)]
- Compellability, **41:63** [CA 11(c)]
- Cruel and unusual treatment or punishment prohibited, **41:73** [CA 12]
- Double jeopardy prohibited, **41:63** [CA 11(h)]
- Interpreter, **41:77** [CA 14]
- Life, liberty and security of the person, **41:22** [CA 7]
- Presumption of innocence, **41:63** [CA 11(d)]
- Retroactive offences prohibited, **41:63** [CA 11(g)]
- Self-incrimination, protection against, **41:75** [CA 13]
- Specific information when charged with offence, **41:63** [CA 11(a)]
- Trial by jury, **41:63** [CA 11(f)]
- Trial within reasonable time, **41:63** [CA 11(b)]
- Unreasonable search or seizure prohibited, **41:36** [CA 8]
- Variation of penalty benefit of any, **41:63** [CA 11(i)]

LETHAL DEVICES

- Delivery to specified government/public facilities, **14:21** [CC 431.2]
- definitions, **14:21** [CC 431.2(1)]
- DNA order on conviction or discharge, **20:77**, **20:81**

LETHAL DEVICES—Cont'd

- Delivery to specified government/public facilities, **14:21** [CC 431.2]
 - Cont'd
 - [CC 487.04, 487.051]
- exception, armed forces, **14:21** [CC 431.2(3)]
- offence, **14:21** [CC 431.2(2)]
- offence outside Canada, **2:16** [CC 7(3.72), (5) to (7)]
- Detonation in specified government/public facilities, **14:21** [CC 431.2]
 - definitions, **14:21** [CC 431.2(1)]
- DNA order on conviction or discharge, **20:77, 20:81** [CC 487.04, 487.051]
 - exception, armed forces, **14:21** [CC 431.2(3)]
 - offence, **14:21** [CC 431.2(2)]
 - offence outside Canada, **2:16** [CC 7(3.72), (5) to (7)]
- Discharge in specified government/public facilities, **14:21** [CC 431.2]
 - definitions, **14:21** [CC 431.2(1)]
- DNA order on conviction or discharge, **20:77, 20:81** [CC 487.04, 487.051]
 - exception, armed forces, **14:21** [CC 431.2(3)]
 - offence, **14:21** [CC 431.2(2)]
 - offence outside Canada, **2:16** [CC 7(3.72), (5) to (7)]
- “Lethal device,” **14:21** [CC 431.2]
- Placement in specified government/public facilities, **14:21** [CC 431.2]
 - definitions, **14:21** [CC 431.2(1)]

LETHAL DEVICES—Cont'd

- Placement in specified government/public facilities, **14:21** [CC 431.2]
 - Cont'd
 - DNA order on conviction or discharge, **20:77, 20:81** [CC 487.04, 487.051]
 - exception, armed forces, **14:21** [CC 431.2(3)]
 - offence, **14:21** [CC 431.2(2)]
 - offence outside Canada, **2:16** [CC 7(3.72), (5) to (7)]

LETTERS ROGATORY

- Generally, **40:160** [CEA 51(2)]

LIBEL

- See BLASPHEMOUS LIBEL; DEFAMATORY LIBEL; SEDITION

LICENSING

- Automobile master key, **12:133** [CC 353(2)]
- Imperial licence, proof, **40:72** [CEA 20]
- Interception device, **8:51** [CC 191(2)(d), (3)]
- Lottery, **9:40** [CC 207]
- Proof of non-issuance of licence, **40:80** [CEA 26(2)]

LIEUTENANT-GOVERNOR

- See also APPLICABLE TRANSITIONAL PROVISIONS
- Direction for payment of penalties, **34:104** [CC 734.4(3)(a)]

LIFE

- Duty of persons undertaking acts dangerous to life, **10:7** [CC 216]
- Endangering life by abandoning child, **10:13** [CC 218]

LIFE—Cont’d

Impeding attempt to save,
10:218 [CC 263]

LIFE IMPRISONMENT

See PAROLE

LIMITATION

Recovery of penalty, 34:106
[CC 734.6(2)]

Summary convictions, 38:4 [CC
786(2)]

Treason, 3:4 [CC 48]

Trial within a reasonable time,
41:63 [CA 11(b)]

Young persons, 42:17, 42:164
[YCJA 14(3), 142(4)]

LIVING ON AVAILS

See AVAILS

LOAN

See also CREDIT

False statement to procure, 13:60
[CC 400]

LOITERING

Public place, 7:99 [CC
175(1)(c)]

Trespassing at night, 7:112 [CC
177]

LONG-TERM OFFENDERS

Appeal, 35:31 [CC 759]

Application for finding, 35:16
[CC 753.1(1)]

Application for remand for
assessment, 35:7 [CC
752.1(1)]

after imposition of sentence,
35:12 [CC 753(3)]

exception re hearing require-
ments, 35:25 [CC
754(1)]

extension of time, 35:6 [CC
752.1(3)]

LONG-TERM OFFENDERS

—Cont’d

Application for remand for
assessment, 35:7 [CC
752.1(1)]—Cont’d
notice of intention to bring,
35:5 [CC 752.01]

report, 35:6 [CC 752.1(2)]

Evidence of character, 35:28
[CC 757]

Finding, 35:15, 35:19 [CC
753.1(3.1), (4)]

exception, 35:15, 35:26 [CC
753.1(3.1), 755(1)]

negative, 35:15 [CC 753.1(6)]

“Substantial risk,” 35:17 [CC
753.1(2)]

Supervision, 35:20 [CC
753.2(1)]

application for reduction in
period, 35:20 [CC
753.2(3)]

notice to Attorney General,
35:20 [CC 753.2(4)]

breach, 35:22 [CC 753.3(1)]

trial and punishment, 35:21
[CC 753.3(2)]

concurrent sentences and,
35:20 [CC 753.2(2)]

defined, 35:1 [CC 752]

exception where life sentence
imposed, 35:26 [CC
755(1)]

maximum length, 35:26 [CC
755(2)]

where new offence, 35:23
[CC 753.4]

Transcripts to Correctional Ser-
vice, 35:34 [CC 760]

Witnesses

victim, 35:14 [CC 753.02]

LOTTERY

Buying tickets, 9:36 [CC
206(4)]

LOTTERY—Cont'd

- Conducting lottery, **9:32** [CC **206(1)(d)**]
- Dealing in tickets, **9:32** [CC **206(1)(b)**]
- Foreign lottery, **9:39** [CC **206(7)**]
- Forfeiture of property, **9:37, 9:38** [CC **206(5), (6)**]
- Jurisdiction of provincial court judge, **25:2** [CC **553(c)(iv)**]
- Making or advertising scheme, **9:32** [CC **206(1)(a)**]
- Permitted lottery, **9:40** [CC **207**]
on international cruise ship, **9:44** [CC **207.1**]
participation from outside province, **9:40** [CC **207(3) to (4.1)**]
- Provisions not applicable to pari-mutuel system, **9:40** [CC **207(5)**]
- Sending lottery device or scheme, **9:32** [CC **206(1)(c)**]

LUMBER

- Dealing in lumbering equipment without consent, **12:70** [CC **339(2)**]
- Registered mark as evidence of property, **12:70** [CC **339(4)**]
- Search, **12:70** [CC **339(3)**]
- Taking possession or defacing mark of drift timber, **12:71** [CC **339(1)**]

LURING CHILD

- Defence, **7:88** [CC **172.1(4)**]
- Designated offence for dangerous offender purposes, **35:1** [CC **752**]
- Designated offence for SOIRA purposes, **20:136** [CC **490.011(1)**]

LURING CHILD—Cont'd

- Forfeiture on conviction, **7:65** [CC **164.2**]
- Offence, **7:80** [CC **172.1(1)**]
- Offence outside Canada, **2:16** [CC **7(4.1)**]
- Presumption re age, **7:86** [CC **172.1(2)**]
- Primary designated offence for DNA purposes, **20:77** [CC **487.04**]
- Prohibition order, **7:33** [CC **161**]
- Punishment, **7:86** [CC **172.1(2)**]
- Recognizance to prevent offence, **38:70** [CC **810.1**]
- Relief from, **7:66** [CC **164.3**]

MAIL

- Jurisdiction over offences, **19:14** [CC **476(e)**]
- Letter conveying false message, **12:206** [CC **372(1)**]
- Obscene material, **7:74, 7:77** [CC **168, 169**]
- Possession of stolen mail, container or key, **12:157** [CC **356(1)(b)**]
joinder of accused, **27:64** [CC **593**]
- Proof of government mailing, **40:80** [CEA **26(3)**]
- Stopping with intent to rob or search, **12:91** [CC **345**]
- Theft of mail, container or key, **12:157** [CC **356(1)(a)**]
- Using mails to defraud, **13:29** [CC **381**]

MAKING SEXUALLY

EXPLICIT MATERIAL AVAILABLE TO CHILD

- Defence re age of victim, limitation on, **7:80** [CC **171.1(4)**]
- Definition of “sexually explicit material,” **7:80** [CC **171.1(5)**]

MAKING SEXUALLY

EXPLICIT MATERIAL AVAILABLE TO CHILD

—Cont'd

- Designated offence for SOIRA purposes, **20:136** [CC **490.011(1)**]
- Offence, **7:80** [CC **171.1(1) to (2)**]
- Offence outside Canada, **2:16** [CC **7(4.1)**]
- Presumption re age, **7:80** [CC **171.1(3)**]
- Primary designated offence for DNA purposes, **20:77** [CC **487.04**]
- Prohibition order, **7:33** [CC **161**]
- Recognizance to prevent offence, **38:70** [CC **810.1**]

MANAGEMENT ORDERS

- Offence-related property
 - appointment of Minister to manage, **20:191, 44:38** [CC **490.81(2)**, CDA **14.1(2)**]
 - destruction of property pursuant to, **20:191, 44:38** [CC **490.81(4) to (7)**, CDA **14.1(4) to (7)**]
 - duration of, **20:191, 44:38** [CC **490.81(8)**, CDA **14.1(8)**]
 - power of court, **20:191, 20:191, 44:38** [CC **490.81(1), (7), (7)**, CDA **14.1(1)**]
 - power to manage, **20:191, 44:38** [CC **490.81(1)**, CDA **14.1(1), (3) to (4)**]
 - variation of, **20:191, 44:38** [CC **490.81(9)**, CDA **14.1(9)**]
- Proceeds of crime
 - appointment of Minister to

MANAGEMENT ORDERS

—Cont'd

- Proceeds of crime—Cont'd
 - manage, **17:9** [CC **462.331(2)**]
 - destruction of property pursuant to, **17:9** [CC **462.331(4) to (7)**]
 - duration of, **17:9** [CC **462.331(8)**]
 - power of court, **17:9** [CC **462.331(1), (7)**]
 - power to manage, **17:9** [CC **462.331(1), (3) to (4)**]
 - variation of, **17:9** [CC **462.331(9)**]
- Terrorist group property
 - appointment of manager, **4:13** [CC **83.13(2) to (3)**]
 - appointment of Minister to manage, **4:13** [CC **83.13(3)**]
 - destruction of property pursuant to, **4:13** [CC **83.13(4) to (8)**]
 - duration of, **4:13** [CC **83.13(9)**]
 - power of court, **4:13** [CC **83.13(2) to (3), (8)**]
 - power to manage, **4:13** [CC **83.13(2), (4) to (5)**]
 - procedure, **4:13** [CC **83.13(11) to (12)**]
 - variation of, **4:13** [CC **83.13(12)**]

MANDAMUS

- Appeal from grant or refusal, **37:28, 37:29** [CC **784(1), (2)**]
- Rules of court re, **19:35** [CC **482(3)(c)**]

MANITOBA

- Generally, **1:3, 7:31, 7:61, 8:42, 10:411, 21:1, 10:411, 21:1,**

MANITOBA—Cont'd

25:1, 34:184, 38:84, 38:91
[CC 2, 160(11), 164(8),
188(4), 320(8), 493, 552,
745.6(3), 812, 814(1)]

MANSLAUGHTER,

See also **HOMICIDE**

Coroner's warrant, **21:119 [CC 529]**

Culpable homicide as, **10:33,**
10:81 [CC 222(4), 234, (5)]

Dangerous operation as included offence, **27:253 [CC 662(5)]**

Failure to safeguard ice-hole or excavation, **10:219, 10:218 [CC 263(1), (2), (3)(a)]**

Flight causing bodily harm or death as included offence, **27:253 [CC 662(5)]**

Indictment barred, **27:109 [CC 610(2), (4)]**

In operation of motor vehicle, vessel or aircraft included offence, **27:253 [CC 662(5)]**

Internationally protected person outside Canada, **2:16 [CC 7(3), (5) to (7)]**

Punishment, **10:86 [CC 236]**
 use of firearm, **10:86 [CC 236(a)]**

United Nations or associated personnel, outside Canada, **2:16 [CC 7(3.71)]**

MARINE SIGNAL

Interfering with signal, **14:48 [CC 439]**
 defence, **14:4 [CC 429(2)]**

MARITIME NAVIGATION, INTERNATIONAL

Offence outside Canada
 accessory after the fact, **2:16 [CC 7(2.1), (2.2)]**

MARITIME NAVIGATION, INTERNATIONAL

—Cont'd

Offence outside Canada—Cont'd
 attempt, **2:16 [CC 7(2.1), (2.2)]**

consent to prosecution, **2:16 [CC 7(7)]**

conspiracy, **2:16 [CC 7(2.1), (2.2)]**

counselling, **2:16 [CC 7(2.1), (2.2)]**

deemed committed in Canada, **2:16 [CC 7(2.1)]**

prosecution outside Canada, **2:16 [CC 7(6)]**

MARK

See also **TRADEMARK**

Counterfeiting government mark, **12:211 [CC 376(2)]**

“Mark,” **12:211 [CC 376(3)]**

MARRIAGE

Age of 16 years, **10:362 [CC 293.2]**

Bigamy, **10:352, 10:357 [CC 290, 291(1)]**

marriage certificate as evidence, **10:357 [CC 291(2)]**

Forced, **10:361 [CC 293.1]**

“Form of marriage,” **10:1 [CC 214]**

Polygamy, **10:359 [CC 293]**

Pretending to solemnize marriage, **10:363 [CC 294(a)]**

Procuring feigned marriage, **10:358 [CC 292(1)]**

corroboration, **10:358 [CC 292(2)]**

Procuring pretended solemnization, **10:363 [CC 294(b)]**

Publication of reports of proceedings, **7:67 [CC 166]**

MARRIAGE—Cont'd

Recognizance

- generally, **38:69** [CC **810.02(1)**]
- adjudication, **38:69** [CC **810.02(3)**]
- appearances, **38:69** [CC **810.02(2)**]
- conditions, **38:69** [CC **810.02(6) to (9)**]
- duration extended, **38:69** [CC **810.02(4)**]
- firearms, **38:69** [CC **810.02(7)**]
- refusal to enter into, **38:69** [CC **810.02(5)**]
- surrender, etc., **38:69** [CC **810.02(8)**]
- variances, **38:69** [CC **810.02(9)**]

Register of marriages

- defacing or making false entry, **12:214** [CC **377(1)**]

Solemnization contrary to law, **10:364** [CC **295**]

**MEDICAL AND
PSYCHOLOGICAL
REPORTS**

See also ASSESSMENTS
(MENTAL DISORDER)

Young persons, **42:41** [YCJA **34**]

**MEDICAL ASSISTANCE IN
DYING**

- Clarification, **10:101, 10:105** [CC **241(5.1), 241.2(9)**]
- Code s. 14, non-application of, **10:44** [CC **227(4)**]
- Defined, **10:44, 10:104, 10:101, 10:126** [CC **227(5), 241.1, 241(7), 245(3)**]

**MEDICAL ASSISTANCE IN
DYING—Cont'd**

Documents

- defined, **10:108** [CC **241.4(4)**]
- destruction of, **10:108** [CC **241.4**]
- punishment, **10:108** [CC **241.4(3)**]

Eligibility, **10:105** [CC **241.2(1)**]

Exemptions

- generally, **10:44** [CC **227(1)**]
- administering noxious thing, **10:125** [CC **245(2)**]
- patient, person aiding, **10:101** [CC **241(5)**]
- pharmacist, person aiding, **10:101** [CC **241(4)**]
- practitioner, person aiding, **10:44, 10:101** [CC **227(2), 241(3)**]
- suicide and, **10:103** [CC **241(2)**]

Filing information

- death certificate information, **10:107** [CC **241.31(3.1)**]
- guidelines, **10:107** [CC **241.31(3.1)**]
- offences, **10:107** [CC **241.31(4), (5)**]
- pharmacists, **10:107** [CC **241.31(2)**]
- practitioners, **10:107** [CC **241.31(1)**]
- punishment, **10:107** [CC **241.31(4), (5)**]
- regulations, **10:107** [CC **241.31(3)**]

Forgery

- generally, **10:108** [CC **241.4(1)**]
- punishment, **10:108** [CC **241.4(3)**]

Grievous and irremediable medical condition, **10:105** [CC **241.2(2)**]

MEDICAL ASSISTANCE IN DYING—Cont'd

Medical practitioner

defined, **10:44, 10:104, 10:101, 10:126** [CC 227(5), 241.1, 241(7), 245(3)]

filing information, **10:107** [CC 241.31(1)]

independence of, **10:105** [CC 241.2(6)]

person aiding, **10:44, 10:101** [CC 227(2), 241(3)]

Mistaken belief, reasonable but, **10:44, 10:101** [CC 227(3), 241(6)]

Nurse practitioner

defined, **10:44, 10:104, 10:101, 10:126** [CC 227(5), 241.1, 241(7), 245(3)]

filing information, **10:107** [CC 241.31(1)]

independence of, **10:105** [CC 241.2(6)]

person aiding, **10:44, 10:101** [CC 227(2), 241(3)]

Pharmacist

defined, **10:101, 10:104** [CC 241(7), 241.1]

filing information, **10:107** [CC 241.31(2)]

informing, **10:105** [CC 241.2(8)]

person aiding, **10:101** [CC 241(4)]

Reasonable but mistaken belief, **10:44, 10:101** [CC 227(3), 241(6)]

Reasonable knowledge, care and skill, **10:105** [CC 241.2(7)]

Safeguards

generally, **10:105** [CC 241.2(3)]

MEDICAL ASSISTANCE IN DYING—Cont'd

Safeguards—Cont'd

comply with, failure to, **10:106** [CC 241.3]

Sign, inability to, **10:105** [CC 241.2(4)]

Witness, independent, **10:105** [CC 241.2(5)]

MENTAL DISORDER

See also ASSESSMENTS

(MENTAL DISORDER);
DISPOSITIONS AND DIS-
POSITION HEARINGS
(MENTAL DISORDER);
FITNESS TO STAND
TRIAL; FIREARMS;
REVIEW BOARDS

Burden of proof, **2:43** [CC 16(3)]

Exemption from criminal
responsibility, **2:41** [CC 16(1)]

Presumption against, **2:42** [CC 16(2)]

Special verdict

appeals by accused from, **29:11** [CC 675(3)]

effect of, **28:31** [CC 672.35]
on application for federal
employment, **28:33**
[CC 672.37]

form of special verdict, **28:30**
[CC 672.34]

not a previous conviction,
28:32 [CC 672.36]

Transfer or lend firearms to, **47:24** [FA 22]

Young persons, **42:163** [YCJA 141]

MERCY

See also MISCARRIAGES OF
JUSTICE; PARDON

MERCY—Cont’d

Royal prerogative, **34:198, 34:201** [CC 749, 751]

MILITARY LAW

See also ARMED FORCES
Effect of Charter, **41:63** [CA 11(f)]
Effect of Code, **2:12** [CC 5]

MILITARY STORES

Receiving, **13:96** [CC 420]
presumption of enlistment, **13:97** [CC 421(1)]

MILITARY TRIBUNAL

See ARMED FORCES

MILITARY UNIFORM

Unlawful use, **13:95** [CC 419]
presumption of enlistment, **13:97** [CC 421(1)]

MINE

Salting, **13:54** [CC 396(1)]

MINERALS

Forfeiture, **13:51, 13:52, 13:53** [CC 394(6), 394.1(4), 395(2)(b)(ii)]
Fraud, **13:51** [CC 394(1)]
Fraudulent concealment, **13:51** [CC 394(1)]
Possession as proof of theft, **27:237** [CC 656]
Possession of stolen or fraudulently obtained, **13:52** [CC 394.1]
Purchase of, **13:51** [CC 394(3), (4)(b)]
Sale of, **13:51** [CC 394(2), (4)(a)]
Salting mine or sample, **13:54** [CC 396(1)]
Search and seizure, **13:53** [CC 395]

MINERALS—Cont’d

Taking for scientific purpose not theft, **12:56** [CC 333]

MINT

Conveying coining instruments out of mint, **15:26** [CC 459]

MISCARRIAGES OF JUSTICE

Application for ministerial review
considerations upon decision by Minister, **30:5** [CC 696.4]
determination by court of appeal, **30:3** [CC 696.3(3)(a)(ii)]
dismissal by Minister, **30:3** [CC 696.3(3)(a)(i)]
finality of decision, **30:3** [CC 696.3(4)]
form of, **30:1** [CC 696.1(2)]
referrals to court of appeal, **30:3** [CC 696.3(2), (3)(a)(ii)]
review by Minister, **30:2, 30:3, 30:5** [CC 696.2, 696.3, 696.4]
right to bring, **30:1** [CC 696.1(1)]
Court of appeal
defined, **30:4** [CC 696.3(1)]
determination of applications, **30:3** [CC 696.3(3)(a)(ii)]
referrals to, **30:3** [CC 696.3(2), (3)(a)(ii)]
release pending determination of reference, **29:29** [CC 679(7)]
Minister of Justice
duties of Minister
annual report, **30:5** [CC 696.4]
considerations on applications, **30:5** [CC 696.4]

MISCARRIAGES OF JUSTICE

—Cont'd

- Minister of Justice—Cont'd
 - duties of Minister—Cont'd
 - review applications, **30:2**, **30:5** [CC 696.2(1), 696.4]
 - powers of Minister
 - delegation, **30:2** [CC 696.2(2)]
 - investigation, **30:2** [CC 696.2(2)]
 - order for new hearing, **30:2** [CC 696.2(3)]
 - referral to court of appeal, **30:3** [CC 696.3(2), (3)(a)(ii)]
- Regulations
 - power to make, **30:8** [CC 696.6]
- Release pending determination of reference, **29:29** [CC 679(7)]

MISCHIEF

- Data, mischief re, **12:81**, **14:5**, **14:10**, **14:5**, **14:13** [CC 342.2, 430(1.1), (5), (5.1), (8)]
- Property, mischief to, **14:5** [CC 430]
 - cultural property, **14:5** [CC 430(4.2)]
 - defence, **14:4** [CC 429(2)]
 - defined, **14:6** [CC 430(1)]
 - endangering life, **14:7** [CC 430(2)]
 - exceptions, **14:11**, **14:12** [CC 430(6), (7)]
 - religious property, **14:5** [CC 430(4.1)]
 - war memorial, **14:5** [CC 430(4.11)]
 - where property not testamentary instrument

MISCHIEF—Cont'd

- Property, mischief to, **14:5** [CC 430]—Cont'd
 - or value over 01675,000, **14:9**, **14:5** [CC 430(4), (5.1)]
 - where property testamentary instrument, **14:8** [CC 430(3)]
 - where property value over 01675,000, **14:8**, **14:5** [CC 430(3), (5.1)]
 - Public mischief, **6:71** [CC 140]
- ## MISLEADING JUSTICE
- Compounding indictable offence, **6:75** [CC 141]
 - Conspiring to cause false prosecution, **18:8** [CC 465(1)(b)]
 - Fabricating evidence, **6:62** [CC 137]
 - False accusation, **6:71** [CC 140]
 - False statement, **6:56** [CC 134]
 - Giving contradictory evidence, **6:60** [CC 136]
 - Obstructing justice, **6:67** [CC 139]
 - Perjury, **6:48**, **6:52** [CC 131, 132]
 - Pretended affidavit, **6:64** [CC 138]
 - Public mischief, **6:71** [CC 140]
 - Taking reward for recovery of goods, **6:77** [CC 142]

MISTAKE

- See also DEFENCES
- Apprehended consent, **10:235** [CC 265(4)]
- Ignorance of law, **2:58** [CC 19]
- Mistake of fact, **2:19** [CC 8]
- Officially induced error, **2:58** [CC 19]

MISTRIAL

- Trial rulings binding at new trial, **27:232** [CC 653.1]

MONEY

See CURRENCY OFFENCES

MORTGAGE

See also DOCUMENT OF
TITLE

Fraudulent concealment, **13:36**
[CC 385]

Fraudulent registration, **13:38**
[CC 386]

Fraudulent sale of property,
13:39 [CC 387]

MOTOR VEHICLES

See also DRIVING OFFENCES

Joy-riding, **12:61** [CC 335]

Master keys, **12:133** [CC 353]

Possession with identification
number removed, **12:138**,
12:139 [CC 354(2), (3)]

Prohibited weapon in, **5:28**, **5:26**
[CC 90(2), (4)]

Theft of, **12:135** [CC 353.1]

MOVIE PIRACY

Forfeiture on conviction, **14:22**
[CC 432(3), (4)]

Unauthorized recording of movie
for purpose of sale, etc., **14:22**
[CC 432(2)]

simpliciter, **14:22** [CC 432(1)]

MUNICIPALITY

See also ORGANIZATION

Municipal corruption, **6:23** [CC
123]

“Municipality,” **1:3** [CC 2]

Right to proceeds of penalties,
34:104 [CC 734.4(3)]

Service on, **31:17** [CC 703.2(a)]

MURDER

See also HOMICIDE;
INFANTICIDE; MAN-
SLAUGHTER

MURDER—Cont’d

Accessory after fact, **10:98** [CC
240]

Attempt, **10:91** [CC 239]

Classification, **10:67** [CC
231(1), (7)]

first degree murder, **10:67**
[CC 231(2) to (6.2)]

constructive, **10:67** [CC
231(5)]

contract, **10:67** [CC 231(3)]

criminal harassment, **10:67**
[CC 231(6)]

criminal organization, **10:67**
[CC 231(6.1)]

form of indictment, **27:35**
[CC 582]

indictment for second
degree murder barred,
27:109 [CC 610(3)]

intimidation of journalist or
justice system partici-
pant, **10:67** [CC
231(6.2)]

jury recommendation re
youths, **34:151** [CC
743.1]

of police officer, prison
guard or employee,
10:67 [CC 231(4)]

parole ineligibility, **34:195**,
34:176, **34:175**,
34:183 [CC 747,
745.3, 745.21, 745.51]

planned and deliberate,
10:67 [CC 231(2)]

sentence, **34:167**, **34:182**
[CC 745(a), 745.5]

terrorist activity, **10:67** [CC
231(6.01)]

verdict where second
degree proved, **27:255**
[CC 662(2)]

second degree murder
defined, **10:47**, **10:67** [CC

MURDER—Cont'd

- Threat against internationally protected person, **2:16, 13:109** [CC 7(3), 424]
- United Nations or associated personnel, outside Canada, **2:16** [CC 7(3.71)]

MUSEUM

- Acquisition of weapons, **47:10** [FA 9(6)]
- Employee handling firearms, **5:92** [CC 117.09(4), (5)]
- Transfers of weapons, **5:89, 5:92** [CC 117.07, 117.09]

MUTINY

- Encouraging mutiny, **3:24, 3:24** [CC 62(1)(b), (c)]
- Incitement to mutiny, **3:10** [CC 53]
 - evidence, **3:12** [CC 55]
 - indictment, **27:25, 27:84** [CC 581(4), 602]
 - overt acts, **3:12** [CC 55]
- Mutiny on Canadian ship, **3:45** [CC 75(c)]

NARCOTIC OFFENCES

- See DRUG OFFENCES

NECESSARIES OF LIFE

- Duty to provide, **10:4** [CC 215(1)]
- Failure to provide, **10:5** [CC 215(2)]
 - presumptions, **10:3** [CC 215(4)]
 - punishment, **10:6** [CC 215(3)]
- Support as condition of probation, **34:85** [CC 732.1(3)(e)]

NEW BRUNSWICK

- Generally, **1:3, 2:53, 2:56, 2:60, 2:62, 7:61, 8:42, 10:411, 25:1, 34:184, 38:84, 41:81**

NEW BRUNSWICK—Cont'd

- [CC 2, 17(2), 18(2), 19(2), 20(2), 164(8), 188(4), 320(8), 552, 745.6(3), 812, CA 16(2)]

NEWFOUNDLAND

- Generally, **1:3, 7:61, 8:42, 10:411, 20:1, 22:15, 25:1, 27:151, 34:184, 38:84** [CC 2, 164(8), 188(4), 320(8), 483, 534, 552, 638(3), 745.6(3), 812]

NEWSPAPER

- See also DEFAMATORY LIBEL; PUBLICITY
- “Newspaper,” **10:367, 19:27** [CC 297, 478(5)]

NEW TRIAL

- See APPEALS

NON-COMMUNICATION ORDER

- Failure to comply with, **34:157** [CC 743.21(2)]
- Power to issue, **34:157** [CC 743.21(1)]

NORTHWEST TERRITORIES

- “Appeal court,” **38:84** [CC 812]
- Application of Code provisions, **2:20** [CC 8(1)]
- “Appropriate Chief Justice,” **34:184** [CC 745.6(3)]
- Court of appeal, **1:3** [CC 2]
- Empanelling jury
 - challenge for cause, **27:148** [CC 638]
- Forfeiture of recognizance, **36:1** [CC 762(1)]
- “Judge” under Part XIX, **25:1** [CC 552]
- “Judge” under Part XVI, **21:1** [CC 493]

NORTHWEST TERRITORIES

—Cont'd

Preferring indictment, **27:6** [CC 577]

“Superior court of criminal jurisdiction,” **1:3** [CC 2]

Venue for summary conviction appeal, **38:91** [CC 814(4)]

NORTHWEST TERRITORIES ACT

Generally, **2:20** [CC 8(1)]

NOTARIAL ACT OR INSTRUMENT

Copy as proof, **40:82** [CEA 27]

NOTICE

Notice of appeal

court of appeal, **29:26, 38:137** [CC 678, 839(2)]

election for new trial, **29:64** [CC 686(5)]

summary conviction appeal court, **38:93, 38:124** [CC 815(1), 830(3)]

notification of clerk of court, **38:102** [CC 821(1)]

Supreme Court of Canada, **29:120** [CC 694]

Notice of application

inspection of bank account, **40:85** [CEA 29(6)]

interception of communication, **8:20** [CC 185]

leave to appeal, **29:26, 38:137** [CC 678, 839(2)]

election for new trial, **29:64** [CC 686(5)]

preventive detention, **35:25** [CC 754(1)]

release of exhibits, **27:89** [CC 605(1)]

release pending appeal or new trial, **29:31** [CC 679(2)]

NOTICE—Cont'd

Notice of application—Cont'd
review of order for release, **21:97** [CC 521(2)]

Notice of expert testimony, **27:243** [CC 657.3(3) to (7)]

Notice of hearing
forfeiture of recognizance, **36:14** [CC 771(1)(b)]

for sureties to show cause, **36:19** [CC 773(2)]

Notice of indictment of organization, **27:116** [CC 621]

Notice of intention to produce
business record or affidavit, **40:90** [CEA 30(7)]

certificate of examiner of counterfeit, **15:29** [CC 461(3)]

certificate of failure to appear, **6:93** [CC 145(11)]

certificate of fingerprint examiner, **27:268** [CC 667(4)]

copy of document, **40:83** [CEA 28]

prohibition order, **10:213** [CC 260(5)]

transcript of intercepted communication, **8:47** [CC 189(5)]

Notice of intention to re-elect
non-jury trial, **25:33** [CC 565(3)]

provincial court judge, **25:23, 25:25** [CC 561(3), 561.1(4) to (7)]

Notice of intention to seek
greater punishment, **4:36, 27:261** [CC 83.27, 665]

Notice of intention to tender
“credible and trustworthy”
evidence at prelim, **23:33** [CC 540(8)]

NOTICE—Cont'd

- Notice of obligation to comply with sex offender registration requirements, **20:146 [CC 490.02]**
- Notice of prescribing distinguishing mark, **13:92 [CC 416]**
- Notice of recommencement of proceedings, **27:15 [CC 579(2)]**
- Notice of sex offender information registration order, **20:144 [CC 490.018]**
- Notice to person posting child pornography, **7:64 [CC 164.1(2)]**
- Proof of service, **2:8, 2:9, 40:142 [CC 4(6) to (7), CEA 40]**
- Sheriff's notice
 - of trial, **25:22 [CC 560(3)]**
 - that accused in custody, **25:22 [CC 560(1), (2)]**

NOVA SCOTIA

- Generally, **1:3, 8:42, 21:1, 22:15, 25:1, 27:151, 34:184, 38:84 [CC 2, 188(4), 493, 534, 552, 638(3), 745.6(3), 812]**

NOXIOUS THING

- Administering, **10:123 [CC 245]**

NUCLEAR TERRORISM

- Alteration of device or material with intent to compel/inhibit act, **3:62 [CC 82.4]**
- with intent to damage/harm/kill, **3:61 [CC 82.3]**
- Armed forces exception to offences, **3:65 [CC 82.7]**
- Commission of indictable offence
 - with intent to obtain access to facility, **3:63 [CC 82.5]**

NUCLEAR TERRORISM

—Cont'd

- Commission of indictable offence—Cont'd
 - with intent to obtain device/material, **3:63 [CC 82.5]**
- Definition of “device,” **3:60 [CC 82.2]**
- DNA order on conviction
 - primary designated offences, **20:77 [CC 487.04]**
- Making of device, **3:61 [CC 82.3]**
- Offence outside Canada, committed, **2:16 [CC 7(2.21)]**
- Possession, etc. of device/material, **3:61 [CC 82.3]**
- Serious disruption of facility's operations
 - with intent to compel/inhibit act, **3:62 [CC 82.4]**
 - with intent to damage/harm/kill, **3:61 [CC 82.3]**
- Serious interference with facility
 - with intent to compel/inhibit act, **3:62 [CC 82.4]**
 - with intent to damage/harm/kill, **3:61 [CC 82.3]**
- Threats, **3:64 [CC 82.6]**
- Use of device/material
 - with intent to compel/inhibit act, **3:62 [CC 82.4]**
 - with intent to damage/harm/kill, **3:61 [CC 82.3]**
- Wiretap for, **8:1 [CC 183 “offence” (a)(xii.01) to CC 183 “offence” (a)(xii.03)]**

NUDITY

- Generally, **7:95 [CC 174]**

NUISANCE

- See also MISCHIEF
- Common nuisance, **7:121 [CC 180]**

NUISANCE—Cont'd

- Failure to perform duty in burial,
7:126 [CC 182(a)]
- Interference with dead body,
7:126 [CC 182(b)]

NUNAVUT

- "Appeal court," 38:84, 38:123
[CC 812(2), 829(2)]
- Application of Code provisions,
2:20 [CC 8(1)]
- "Appropriate Chief Justice,"
34:184 [CC 745.6(3)]
- "Attorney General," 1:3 [CC 2]
- "Court of appeal," 1:3 [CC 2]
- Election, 23:9, 23:10, 25:25,
25:33, 25:44, 25:49 [CC
536.1(2) to (4.2), 536.2,
561.1, 565(2), 567.1, 569]
- Indictment, preferment of, 25:41,
27:6 [CC 566.1, 577]
- "Judge" under Part XIX, 25:1
[CC 552]
- "Judge" under Part XVI, 21:1
[CC 493]
- Preliminary inquiry
 - agreement to limit scope,
23:13, 23:84 [CC 536.5,
549(1.1)]
 - general, 25:14 [CC 555.1]
 - jurisdiction, 23:9 [CC
536.1(5)]
 - pre-inquiry hearing, 23:12
[CC 536.4]
 - remand, 23:9 [CC 536.1(1)]
 - request for, 23:9, 25:15, 27:2,
27:6 [CC 536.1(3) to
(4.2), 556(4), 574(1.1),
577, (1.2)]
 - "Provincial court judge," 47:67
[FA 76.1]
- Re-election, 23:10, 25:25, 25:29,
25:31 [CC 536.2, 561.1,
562.1, 563.1]

NUNAVUT—Cont'd

- "Superior court," 47:67 [FA
76.1]
- "Superior court of criminal juris-
diction," 1:3 [CC 2]
- Venue for summary conviction
appeal, 38:91 [CC 814(4)]

NUNAVUT COURT OF JUSTICE

- Applications for review of deci-
sions of
 - appeal from decision made on
review, 26:2 [CC
573.1(7)]
 - grounds of review, 26:2 [CC
573.1(3)]
 - limitation, 26:2 [CC 573.1(2)]
 - orders subject to review, 26:2
[CC 573.1(1), (2)]
 - powers of reviewing judge,
26:2 [CC 573.1(4), (5)]
 - rules governing, 26:2 [CC
573.1(6)]
- Election procedures in, 23:9,
25:14, 25:33, 25:44, 25:49,
27:67 [CC 536.1, 555.1,
565, 567.1, 569, 598]
- on retrial, 29:58 [CC
686(5.1), (5.2)]
- Habeas corpus
 - availability, in respect of
orders and warrants of,
26:3 [CC 573.2]
- Jurisdiction, 23:9, 25:2, 25:6,
25:17, 25:19, 25:22, 26:1
[CC 536.1(5), 553, 554,
557, 558, 560, 573]
- Preferred indictment in, 25:41
[CC 566.1]
- Preliminary inquiry in
 - agreement to limit scope,
23:13, 23:84 [CC 536.5,
549(1.1)]

NUNAVUT COURT OF JUSTICE—Cont'd

- Preliminary inquiry in—Cont'd
 - continuation of proceedings as, where subject matter is testamentary instrument or value exceeds 01675000, **25:14 [CC 555.1(2), (3)]**
 - decision to hold, where appears offence should be prosecuted by indictment, **25:14 [CC 555.1]**
 - pre-inquiry hearing, **23:12 [CC 536.4]**
 - request for, **23:9, 25:15, 27:2, 27:6 [CC 536.1(3) to (4.2), 556(4), 574(1.1), 577, (1.2)]**
 - Re-election procedures in, **23:10, 25:25, 25:29, 25:31, 25:33, 25:44, 25:49, 27:67 [CC 536.2, 561.1, 562.1, 563.1, 565, 567.1, 569, 598]**
 - Trial procedures in
 - mode of trial where multiple accused, **25:44 [CC 567.1]**
 - mode of trial where new trial ordered following appeal, **29:64, 29:58 [CC 686(5), (5.01)]**
 - taking of evidence on trial by judge alone, **25:17 [CC 557]**

OATH

- See also AFFIDAVIT; AFFIRMATION; PERJURY
- Administration, **40:53 [CEA 13]** without authority, **6:64 [CC 138]**
- Affirmation in lieu, **40:58 [CEA 15]**
- Child, **40:60, 40:64 [CEA 16(1), 16.1]**

OATH—Cont'd

- Contradictory evidence, **6:60 [CC 136]**
- Electronic, **39:6 [CC 846]**
- False statement under oath, **6:53 [CC 133]**
 - order for particulars, **27:43 [CC 587(1)(a)]**
 - sufficiency of counts, **27:40 [CC 585(b)]**
- Oath administered abroad, **40:161 to 40:163 [CEA 52 to 54]**
- Perjury, **6:48 [CC 131]**
 - order for particulars, **27:43 [CC 587(1)(a)]**
 - sufficiency of counts, **27:40 [CC 585(a)]**
- Refusal to be sworn, **23:73 [CC 545(1)]**
- Requirement of sworn evidence preliminary inquiry, **23:33 [CC 540(1)(a)]**
- Where mental capacity challenged, **40:59 [CEA 16(1)]**
- Witness in foreign proceedings, **40:158 [CEA 49]**

OBEDIENCE TO DE FACTO LAW

- Generally, **2:38 [CC 15]**

OBSCENITY

- See also CRIME COMIC
- Appeal from forfeiture or restoration, **7:61 [CC 164(6)]**
- Consent to prosecute where order of forfeiture, **7:61 [CC 164(7)]**
- Delivering by mail, **7:74 [CC 168]**
 - punishment, **7:77 [CC 169]**
- Exposing to public view, **7:42 [CC 163(2)(a)]**
 - consent to prosecution, **7:61 [CC 164(7)]**

OBSCENITY—Cont'd

- Exposing to public view, 7:42 [CC 163(2)(a)]—Cont'd
 - motive irrelevant, 7:48 [CC 163(5)]
 - presumption of obscenity, 7:51 [CC 163(8)]
 - punishment, 7:77 [CC 169]
 - service of public good as defence, 7:45 [CC 163(3)]
- Forfeiture, 7:61 [CC 164(3), (4)]
- Mailing, 7:74, 7:77 [CC 168, 169]
- Obscene theatrical performance
 - presenting or allowing, 7:69 [CC 167(1)]
 - punishment, 7:77 [CC 169]
 - taking part, 7:70 [CC 167(2)]
- Publishing, 7:42 [CC 163(1)(a)]
 - consent to prosecution, 7:61 [CC 164(7)]
 - ignorance no defence, 7:49 [CC 163(6)]
 - motive irrelevant, 7:48 [CC 163(5)]
 - presumption of obscenity, 7:51 [CC 163(8)]
 - punishment, 7:77 [CC 169]
 - service of public good as defence, 7:45, 7:47 [CC 163(3), (4)]
- Restoration after seizure, 7:61 [CC 164(5)]
- Sale, 7:42 [CC 163(2)(a)]
 - consent to prosecution, 7:61 [CC 164(7)]
 - motive irrelevant, 7:48 [CC 163(5)]
 - presumption of obscenity, 7:51 [CC 163(8)]
 - punishment, 7:77 [CC 169]
 - service of public good as defence, 7:45, 7:42 [CC 163(3), (4)]

OBSCENITY—Cont'd

- Summons, 7:63 [CC 164(2)]
- punishment, 7:77 [CC 169]
- Warrant of seizure, 7:62 [CC 164(1)]

OBSTRUCTION

- Execution of process, 6:34 [CC 129(c)]
- Highway, 13:101 [CC 423(1)(g)]
- Justice, 6:67 [CC 139]
- Officiating clergyman, 7:110 [CC 176(1)]
- Peace officer, 6:34 [CC 129(a)]
- Public officer, 6:34 [CC 129(b)]
- Saving of vessel, 14:45 [CC 438(1)]
- Saving of wreck, 14:46 [CC 438(2)]
- Use of property, 14:5 [CC 430(1)(c), (d)]

OCCULT SCIENCE

- Pretending to practise, 12:183 [CC 365(c)]

OFFENCE

- See also JURISDICTION
- Abolition of common law offences, 2:23 [CC 9]
- Included offences, 27:253 [CC 662]
- No conviction of child under 12, 2:34 [CC 13]
- Offence under more than one Act, 2:32 [CC 12]
- Rights of persons charged with, 41:63 [CA 11]

OFFENDER

- Definition, 1:3 [CC 2]

OFFENSIVE WEAPON

- See WEAPON

OFFICER, PEACE

See also JUDICIAL INTERIM
RELEASE

Release or detention of accused,
21:21, 21:22 [CC 498, 499]

OFFICIAL

See also BRIBERY; CORRUPTION;
OFFICIAL DOCUMENT

Certified copy as evidence,
40:77 [CEA 24]

Destruction etc., 12:72 [CC 340]

OFFICIAL DOCUMENTS

Identity documents, 3:14 [CC
56.1]

definition of identity document,
3:14 [CC 56.1(3)]

exceptions, 3:14 [CC 56.1(2)]

punishment, 3:14 [CC
56.1(4)]

OIL WELL

Arson, 14:23, 14:30 [CC 433,
434]

Salting, 13:54 [CC 396]

ONTARIO

Generally, 1:3, 8:9, 21:1, 25:1,
34:184, 38:84 [CC 2,
184(4), 493, 552, 745.6(3),
812]

OPERATE

See also MOTOR VEHICLES
Definition, 10:1 [CC 214]

ORDER TO STAND TRIAL

Generally, 23:78, 23:84 [CC
548(1)(a), 549]

ORE

See also MINERALS

Possession as proof of theft,
27:237 [CC 656]

ORE—Cont'd

Taking for scientific purpose, not
theft, 12:56 [CC 333]

ORGANIZATION

Appearance, 23:29, 25:15,
27:115, 38:28, 38:46 [CC
538, 556, 620, 800(3),
802.1]

default, 25:15, 27:117,
27:118, 38:28 [CC
556(2), 622, 623, 800(3)]

Attributing liability to
duty of persons directing
work, 10:12 [CC 217.1]

“every one” includes, 1:3
[CC 2]

negligence offences, 2:77 [CC
22.1]

other offences, 2:78 [CC 22.2]

Criminal, See CRIMINAL
ORGANIZATION

Criminal responsibility

duty of persons directing
work, 10:12 [CC 217.1]

“every one” includes, 1:3
[CC 2]

negligence offences, 2:77 [CC
22.1]

other offences, 2:78 [CC 22.2]

Duty of persons directing work,
10:12 [CC 217.1]

Enforcement of judgment,
34:113 [CC 735]

Greater punishment where previ-
ous conviction, 34:66 [CC
727(4)]

Notice of indictment, 27:116
[CC 621]

“Organization” defined, 1:3,
44:4 [CC 2, CDA 2(1)]

Party liability

negligence offences, 2:77 [CC
22.1]

other offences, 2:77 [CC 22.1]

ORGANIZATION—Cont'd

Punishment, **34:33, 34:85, 34:113 [CC 718.21, 732.1(3.1), 735, (3.2)]**

Request for preliminary inquiry failure to request, **25:15 [CC 556(3), (4)]**

“Senior officer,” defined, **1:3 [CC 2]**

“Senior officer” defined, **1:3 [CC 2]**

Sentencing

finer, **34:113 [CC 735]**

general considerations, **34:33 [CC 718.21]**

probation conditions, **34:85 [CC 732.1(3.1), (3.2)]**

Service of process on, **31:17 [CC 703.2]**

Terrorist, See **TERRORIST GROUP**

Trial and conviction, **27:118 [CC 623]**

ORGANIZATIONAL LIABILITY

See **ORGANIZATION**

ORGANS, TRAFFICKING IN HUMAN

Financial transactions, **10:100.50 [CC 240.1(2)]**

Punishment, **10:100.50 [CC 240.1(3)]**

Removal without consent, **10:100.50 [CC 240.1(1)]**

OVERCOMING RESISTANCE TO COMMISSION OF OFFENCE

Generally, **10:127 [CC 246]**

OWNER

“Owner,” **1:3 [CC 2]**

Ownership of property, **27:45 [CC 588]**

OWNER—Cont'd

Theft by owner or joint owner, **12:45 [CC 328(a), (d)]**

OYSTER BED AND OYSTERS

Description in indictment, **12:32 [CC 323(2)]**

Presumption of ownership, **12:33 [CC 323(1)]**

PARDON

See also **RECORD SUSPENSION**

Removal of disabilities, **34:200 [CC 750(2)]**

Royal prerogative of mercy, **34:196 [CC 748,]**

Trial outside Canada, **18:15 [CC 465(7)]**

PARENT OR GUARDIAN

See also **ABDUCTION**

Abandoning child under 10, **10:13 [CC 218]**

Attending youth court, **42:32 [YCJA 27]**

Correction of child by force, **2:127 [CC 43]**

liability for excessive force, **2:100 [CC 26]**

Defence of child against assault, **2:126 [CC 37]**

Duty to provide necessities, **10:3 [CC 215(1)(a)]**

Failure to provide necessities, **10:5 [CC 215(2)]**

necessaries provided by another no defence, **10:3 [CC 215(4)(d)]**

presumption of failure, **10:3 [CC 215(4)(e)]**

presumption of parentage, **10:3 [CC 215(4)(b)]**

punishment, **10:6 [CC 215(3)]**

Notice to parent, **42:31 [YCJA 26]**

PARENT OR GUARDIAN

—Cont'd

- Procuring sexual activity, **7:78**
[CC 170]
- Sexual exploitation, **7:16** [CC
153(1)]

PAROLE

- See also MURDER
- Dangerous offenders, **35:35** [CC
761]
- Eligibility in life imprisonment,
34:167 to 34:194 [CC 745
to 746.1]
- day parole, **34:194** [CC
746.1(2)]
- young offenders convicted
of murder, **34:194** [CC
746.1(3)]
- early parole prohibited,
34:194 [CC 746.1(1)]
- information in respect of
parole, **34:170** [CC
745.01]
- review of eligibility, **34:184**
[CC 745.6]
- information provided by
victim, **34:189** [CC
745.63(1.1)]
- temporary absence, **34:194**
[CC 746.1(2)]
- young offenders convicted
of murder, **34:194** [CC
746.1(3)]
- Eligibility in scheduled offences,
34:162 [CC 743.6]
- Multiple murders, **34:175**,
34:183 [CC 745.21,
745.51]
- Second degree murder
recommendation by jury,
34:172, 34:176, 34:175
[CC 745.2, 745.3,
745.21]

PAROLE—Cont'd

- Second degree murder—Cont'd
sentence by judge, **34:177**,
34:182 [CC 745.4,
745.5]

PARTICULARS

- See also INDICTMENT
- Amendment at trial, **27:79** [CC
601(2)]
- Order for particulars, **27:43** [CC
587]

PARTNER

- Theft by, **12:45** [CC 328(d)]

PARTNERSHIP

- See ORGANIZATION

PARTY TO OFFENCE

- See also ACCESSORY AFTER
FACT; AIDING AND
ABETTING; COUNSEL-
LING
- Accessory after fact, **2:79** [CC
23]
- defined, **2:80** [CC 23(1)]
- murder, **10:98** [CC 240]
- punishment, **10:98, 18:1** [CC
240, 463]
- treason or high treason
delivery of trial documents,
27:87 [CC 604]
- Aiding or abetting
abettor party to offence, **2:64**
[CC 21(1)(c)]
- aider party to offence, **2:64**
[CC 21(1)(b)]
- particular offences
betting offences, **9:20** [CC
202(1)(j)]
- cruelty to animals, **14:70**
[CC 446]
- desertion, **3:11, 3:13** [CC
54, 56]
- enemy alien, **3:6** [CC 50]

PARTY TO OFFENCE—Cont'd

- Aiding or abetting—Cont'd
 - particular offences—Cont'd
 - escape, **6:95 to 6:100 [CC 146 to 148]**
 - feigned marriage, **10:358 [CC 292]**
 - prize fight, **3:67 [CC 83(1)]**
 - suicide, **10:101 [CC 241(b)]**
 - treason, **3:1, 3:6 [CC 46, 50]**
- Common intention to effect unlawful purpose, **2:66 [CC 21(2)]**
- Counselling
 - general
 - offence committed, **2:76, 2:75 [CC 22(1), (2)]**
 - offence not committed, **18:6 [CC 464]**
 - particular offences
 - insubordination by serviceman, **3:24 [CC 62]**
 - piratical acts, **3:45 [CC 75]**
 - sexual touching, **7:13 [CC 152]**
 - suicide, **10:101 [CC 241]**
- Defined, **2:75 [CC 22(3)]**
- Indictment of other parties, **2:84 [CC 23.1]**
- Organizations
 - negligence offences, **2:77 [CC 22.1]**
 - other offences, **2:78 [CC 22.2]**
- Party to offence defined, **2:64 to 2:78 [CC 21 to 22.2]**
- Principal, **2:64 [CC 21(1)(a)]**
- Sexual assault party to, **10:263 [CC 272(1)(d)]**

PASSING OFF

- Forfeiture, **13:88 [CC 412(2)]**
- Offence, **13:82 [CC 408]**

PASSING OFF—Cont'd

- Punishment, **13:88 [CC 412(1)]**

PASSPORT

- Appearance at trial, **3:15 [CC 57(7)]**
- Deposit as condition of release, **21:75 [CC 515(4)(f)]**
- False statement to procure, **3:15 [CC 57(2)]**
- Forging or uttering, **3:16 [CC 57(1)]**
 - corroboration, **12:189 [CC 367(2)]**
 - forgery generally, **12:187 [CC 366]**
 - “false document,” **38:61 to 38:81, 42:17, 2:62 [CC 57(4)(b), 321]**
- Jurisdiction, **3:15 [CC 57(6)]**
- “Passport,” **3:15 [CC 57(5)]**
- Possession of forged passport, **3:15 [CC 57(3)]**

PEACE BOND

- Generally, **38:61 to 38:81, 42:17, 42:23 [CC 810 to 811, YCJA 14(2), 20(2)]**

PEACE OFFICER

- See also PUBLIC OFFICER; RELEASE FROM CUSTODY
- Assault on, **10:255 [CC 270(1)(a)]**
 - aggravated assault, **10:258 [CC 270.02]**
 - assault with a weapon or causing bodily harm, **10:257 [CC 270.01]**
- Bribery, **6:6 [CC 120]**
- Delivery of arrested person to officer, **21:5 [CC 494(3)]**
- Disarming, **10:260 [CC 270.1]**
- Failure to assist officer, **6:34 [CC 129(b)]**

PEACE OFFICER—Cont'd

- Inducing investigation by false statement, **6:71 [CC 140]**
- Murder as first degree, **10:67 [CC 231(2)(a)]**
- Obstruction in execution of duty, **6:34 [CC 129(a)]**
- Obstruction in execution of process, **6:34 [CC 129(c)]**
- Officer permitting escape, **6:95, 6:97 [CC 146, 147]**
- “Peace officer,” **1:3 [CC 2]**
- “Peace officer” 1:3 [CC 2]
- “flight,” **2:16 [CC 7(8)]**
- Personation, **6:44, 6:47 [CC 130, 130.1]**
- “Police officer,” **17:36 [CC 462.48(17)]**
- Protection, **2:88 [CC 25]**
 - arrest without warrant, **21:11 [CC 495(3)]**
 - offence, **21:29 [CC 503(4)]**
- Use of force, **2:88 [CC 25]**
 - excessive force, **2:100 [CC 26]**
- Weapons, **5:89, 5:91 [CC 117.07, 117.08]**
- Wilful misconduct in execution of process, **6:33 [CC 128]**

PEDIGREE

- False pedigree of title, **13:36 [CC 385(1)(a)]**

PENALTY

- See also FINE; PUNISHMENT; SENTENCE
- Imprisonment in lieu, **34:98 [CC 734(1)]**
 - reduction on part payment, **34:112 [CC 734.8]**
- Payment to provincial treasurer, **34:104 [CC 734.4(1)]**
- “Penalty,” **34:112 [CC 734.8(1)]**

PENALTY—Cont'd

- Recovery by action, **34:106 [CC 734.6]**
- Variation of, **41:63 [CA 11(i)]**

PENITENTIARY

- Preventing escape from, **2:93 [CC 25(5)]**
- Unlawful assemblies and riots reading proclamation, **3:33 [CC 67]**

PERJURY

- See also CONTRADICTORY EVIDENCE
- Evidence
 - answers to incriminating questions, **40:17, 41:75 [CEA 5(2), CA 13]**
 - corroboration, **6:53 [CC 133]**
- Indictment
 - sufficiency of counts, **27:40 [CC 585(a)]**
- Liability in case of affirmation, **40:58 [CEA 15(2)]**
- Offence of perjury, **6:48 [CC 131]**
- Order for particulars, **27:43 [CC 587(1)(a)]**
- Privilege against self-incrimination, **40:17, 41:63 [CEA 5(2), CA 11(c)]**
- Punishment, **6:52 [CC 132]**
- Statement not permitted or authorized by law, **6:51, 6:57 [CC 131(3), 134(1)]**
- Video links, **6:48 [CC 131(1.1)]**

PERSONAL RECORD OF COMPLAINANT

- Appeal from order re, **10:303 [CC 278.91]**
- Application for production content and form, **10:296 [CC 278.3(3)]**

**PERSONAL RECORD OF
COMPLAINANT—Cont'd**

- Application for production
—Cont'd
 - costs orders, **10:296** [CC 278.3(3)]
 - counsel, right to, **10:297** [CC 278.4(2.1)]
 - forum, **10:294, 10:295** [CC 278.3(1), (2)]
 - grounds, insufficient, **10:293** [CC 278.3(4)]
 - hearing in camera, **10:297** [CC 278.4(1)]
 - persons who may appear, **10:297** [CC 278.4(2)]
 - service of application and subpoena, **10:293** [CC 278.3(5), (6)]
- Application of legislation, **10:289** [CC 278.1]
- Definition of “record,” **10:289** [CC 278.1]
- Production to accused
 - conditions on production, **10:300** [CC 278.7(3)]
 - copy to prosecutor, **10:300** [CC 278.7(4)]
 - factors considered, **10:300** [CC 278.7(2)]
 - publication ban, **10:302** [CC 278.9]
 - reasons for decision, **10:301** [CC 278.8]
 - retention of record by court, **10:300** [CC 278.7(6)]
 - use limited to proceedings, **10:300** [CC 278.7(5)]
- Production to court for review
 - duty of court upon review, **10:299** [CC 278.6(1)]
 - factors considered, **10:298** [CC 278.5(2)]

**PERSONAL RECORD OF
COMPLAINANT—Cont'd**

- Production to court for review
—Cont'd
 - hearing in camera, **10:299** [CC 278.6]
 - power of court to order, **10:298** [CC 278.5(1)]
 - publication ban, **10:302** [CC 278.9]
 - reasons for decision, **10:301** [CC 278.8]
 - retention of record by court, **10:300** [CC 278.7(6)]
- Publication ban, **10:302** [CC 278.9]
- offence re, **10:302** [CC 278.9(2)]

PERSONATION

- Acknowledgment in false name, **13:77** [CC 405]
- Aggravating circumstance, **6:47** [CC 130.1]
- Peace officer, **6:44, 6:47** [CC 130, 130.1]
- Public officer, **6:44, 6:47** [CC 130, 130.1]

PHOTOGRAPH

- See also SEARCH AND SEIZURE
- As evidence of record or instrument, **40:90, 40:93** [CEA 30(3), 31]
- Photographic evidence, **20:195** [CC 491.2]

PHYSICIAN

- Duty of care in surgical or medical treatment, **10:7** [CC 216]
- Presence at prize fight, **3:66** [CC 83(1)(c)]
- Protection from prosecution, **2:132** [CC 45]
- causing child's death at birth,

PHYSICIAN—Cont'd

Protection from prosecution,
2:132 [CC 45]—Cont'd
10:89 [CC 238(2)]

PIRACY

Compulsion by threats no
defence, 2:50 [CC 17]
Piracy by law of nations, 3:44
[CC 74]
Piratical acts, 3:45 [CC 75]
DNA order on conviction or
discharge, 20:77, 20:81
[CC 487.04, 487.051]
Superior court jurisdiction, 19:1,
19:2, 19:2 [CC 468,
469(a)(vi), (vii)]

PLEA

See also DEFENCES
Adjournment to plead, 27:93
[CC 606(3)]
By organization, 27:116, 27:117
[CC 621(2), 622]
Duty to inform, 27:90 [CC
606(4.3)]
Guilty or not guilty, 27:91 [CC
606(1)]
after special plea, 27:102 [CC
607(4)]
conditions for accepting
guilty, 27:90 [CC
606(1.1)]
consent jurisdiction for guilty
plea, 19:27, 19:29 [CC
478(3), 479]
defences under plea of not
guilty, 27:113 [CC 613]
guilty to other offence, 27:94
[CC 606(4)]
validity of guilty, 27:90 [CC
606(1.2)]
young persons, 42:44, 42:44
[YCJA 36(1), (2)]

PLEA—Cont'd

Inquiry
indictable offences, 27:90
[CC 606(4.2)]
murder, 27:90 [CC 606(4.1)]
serious personal injury
offence, 27:90 [CC
606(4.1)]
Presence of accused for, 27:198
[CC 650(1)]
Refusal to plead, 27:92 [CC
606(2)]
Special pleas, 27:91 [CC 606(1)]
autrefois acquit/convict, 27:98
[CC 607]
allowance of plea, 27:105
[CC 609]
conviction of attempt,
27:251 [CC 661(2)]
discharge in previous
proceedings, 34:113
[CC 735]
evidence of identity of
charges, 27:104 [CC
608]
indictment adding circum-
stances of
aggravation, 27:110 [CC
610(1)]
infanticide and manslaughter,
27:109 [CC
610(4)]
murder and manslaughter or
infanticide, 27:109
[CC 610(2)]
first and second degree,
27:109 [CC 610(3)]
right, 41:63 [CA 11(h)]
justification, 27:100, 27:111,
27:112 [CC 607(2), 611,
612]
combined with plea of not
guilty, 27:112 [CC
612(2)]

PLEA—Cont'd

- Special pleas, **27:91** [CC **606(1)**]
- Cont'd
- pardon, **27:98** [CC **607**]
- validity of, **27:90** [CC **606(4.4)**]

POINTING A FIREARM

See FIREARMS

POLICE

See PEACE OFFICER; PUBLIC OFFICER

POLYGAMY

Offence, **10:359** [CC **293**]

POOL-SELLING

- Exemptions from offences, **9:29** [CC **204(1)**]
- Offences, **9:21** [CC **202(1)**]
- Punishment, **9:22** [CC **202(2)**]
- Search warrant, **9:10** [CC **199(1)**]

PORNOGRAPHY

See CHILD PORNOGRAPHY

POSSESSION

- See also FIREARMS
- Elements of possession, **2:5** [CC **4(3)**]
- when complete, **12:161** [CC **358**]
- Offences
- animal or bird, **14:76** [CC **446(6)**]
- anything knowing it will be used to produce ecstasy or methamphetamine, **44:21** [CDA **7.1**]
- anything knowing it will be used to traffic in ecstasy or methamphetamine, **44:21** [CDA **7.1**]

POSSESSION—Cont'd

- Offences—Cont'd
- armed forces certificate or identification, **13:95** [CC **419(c), (d)**]
- automobile master key, **12:133** [CC **353**]
- clippings of current coin, **15:9** [CC **451**]
- controlled substance, **44:6**, **44:14**, **44:16** [CDA **4(1), 5(2), 6(2)**]
- counterfeiting instruments, **12:211**, **15:23** [CC **376(1)(c), 458**]
- counterfeit mark, **12:211** [CC **376(2)(b)**]
- counterfeit money, **15:5** [CC **450**]
- counterfeit stamp, **12:211** [CC **376(1)(b)**]
- device to obtain telecommunication service, **2:113** [CC **32**]
- explosive substance, **14:40** [CC **436.1**]
- fraudulently obtained valuable minerals, **13:52** [CC **394.1**]
- incendiary device or material, **14:40** [CC **436.1**]
- instruments
- breaking and entering
- coin-operated device, **12:130** [CC **352**]
- house-breaking, **12:125** [CC **351(1)**]
- counterfeiting, **12:211**, **15:23** [CC **376(1)(c), 458**]
- forgery, **12:200** [CC **369(b)**]
- trademark, **13:83**, **13:88** [CC **409, 412**]

POSSESSION—Cont’d

- Offences—Cont’d
 - instruments—Cont’d
 - to obtain telecommunication service, **12:38** [CC 326]
 - interception devices, **8:51** [CC 191]
 - ore or mineral, **27:237** [CC 656]
 - paper to make bank note, **12:200** [CC 369(a)]
 - proceeds of property obtained by crime for purpose of trafficking, **12:155**, **12:156** [CC 355.4, 355.5]
 - prohibited weapon, **5:30**, **5:31** [CC 91, 92]
 - property obtained by crime for purpose of trafficking, **12:155**, **12:156** [CC 355.4, 355.5]
 - restricted weapon, **5:30**, **5:31** [CC 91, 92]
 - slug or counterfeit token, **15:14** [CC 454]
 - stolen valuable minerals, **13:52** [CC 394.1]
 - weapon, for dangerous purpose, **5:21** [CC 88]
 - wreck, **13:91** [CC 415]
- “Possession,” **2:5** [CC 4(3)]
- Property obtained by crime, **12:136**, **12:151**, **12:155**, **12:156** [CC 354, 355, 355.4, 355.5]
 - compensation to purchaser, **34:61** [CC 726]
 - credit card, **12:76** [CC 342(1)(c)]
 - for purpose of trafficking, offence, **12:155**, **12:156** [CC 355.4, 355.5]

POSSESSION—Cont’d

- Property obtained by crime, **12:136**, **12:151**, **12:155**, **12:156** [CC 354, 355, 355.4, 355.5]—Cont’d
 - joinder of accused, **27:64** [CC 593]
 - jurisdiction of provincial court judge, **25:2**, **25:13** [CC 553, 555(2)]
 - mail, container or key, **12:157** [CC 356(1)(b)]
 - mineral or precious metal, **13:51** [CC 394]
 - offence outside Canada, **12:160** [CC 357]
 - presumption where vehicle identification number removed, **12:138**, **12:139** [CC 354(2), (3)]
 - proof of ownership or value, **27:240** [CC 657.1(1)]
 - punishment, **12:151**, **12:156** [CC 355, 355.5]
 - for purpose of trafficking, **12:156** [CC 355.5]
 - not exceeding 01675,000, **12:151** [CC 355(b)]
 - over 01675,000, **12:151** [CC 355(a)]

POSSESSION FOR PURPOSE OF TRAFFICKING

- Anything knowing it will be used to traffic in ecstasy or methamphetamine, offence, **44:21** [CDA 7.1]
- Controlled substance, offence, **44:12** [CDA 5(2)]
- Proceeds of property obtained by crime, offence, **12:155**, **12:156** [CC 355.4, 355.5]
- Property obtained by crime, offence, **12:155**, **12:156**

**POSSESSION FOR PURPOSE
OF TRAFFICKING**

—Cont'd

[CC 355.4, 355.5]

POSTAGE STAMP

As chattel, 2:3 [CC 4(1)]

As property, 1:3 [CC 2]

Counterfeit, 12:212 [CC 376(1)]

Value, 2:3 [CC 4(1)]

POSTAL CARD

As chattel, 2:3 [CC 4(1)]

As property, 1:3 [CC 2]

Value, 2:3 [CC 4(1)]

POWER OF ATTORNEY

Theft by holder, 12:52, 12:53
[CC 331, 332]

PRECIOUS METALS

Forfeiture, 13:51, 13:53 [CC
394, 395]

Fraud, 13:51 [CC 394]

Fraudulent concealment, 13:51
[CC 394]

Presumption from possession,
27:237 [CC 656]

Search and seizure, 13:53 [CC
395]

Tampering with mine sample,
13:54 [CC 396]

PRE-HEARING

CONFERENCES

Generally, 19:35, 27:122 [CC
482(3)(c), 625.1]

PRELIMINARY INQUIRY

Absconding accused, 23:70 [CC
544]

Absence of accused, authorized
admission of evidence, 31:45
[CC 715]

permission to be absent, 23:14
[CC 537(1)(j.1)]

PRELIMINARY INQUIRY

—Cont'd

Absence of accused, authorized

—Cont'd

warning to accused re admis-
sibility of evidence,
23:14 [CC 537(1.01)]

Address

by prosecutor, 23:14 [CC
537(1)(h)]

to accused, 23:41 [CC 541(1)]

Adjournment, 23:14 [CC
537(1)(a)]

early resumption of inquiry,
23:14 [CC 537(1)(e)]

irregularity misleading
accused, 23:76 [CC 547]
witness refusing to testify,
23:72 [CC 545]

Adjudication, 23:78 [CC 548]

Admission or confession by
accused, 23:44 [CC 542]

Agreement to limit scope, 23:13,
23:84 [CC 536.5, 549(1.1)]

Appearance by organization,
23:29, 25:15 [CC 538, 556]

Appearance of accused by
counsel or closed-circuit
television, 23:14 [CC
537(1)(j)]

Committal for trial, 23:78 [CC
548]

by consent, 23:84 [CC 549]
endorsement of information,
23:80 [CC 548(2)]

fix date for trial, 23:78 [CC
548(2.1)]

offence charged, 23:78 [CC
548(1)(a)]

other indictable offence in
respect of same transac-
tion, 23:78 [CC
548(1)(a)]

transmission of record, 23:87
[CC 551]

PRELIMINARY INQUIRY

—Cont’d

- Discharge of accused, **23:78** [CC **548(1)(b)**]
- Election by accused, **23:7, 23:9** [CC **536(2), 536.1(2)**]
- Evidence
 - confession, **23:45** [CC **542(1)**]
 - “credible and trustworthy”
 - appearance of witness for examination, **23:33** [CC **540(9)**]
 - notice of intention to tender, **23:33** [CC **540(8)**]
 - power to receive, **23:33** [CC **540(7)**]
 - reading in at trial
 - prohibited, **31:49** [CC **715(4)**]
 - for accused, **23:40** [CC **541**]
 - hearsay, admissibility of, **23:33** [CC **540(7) to (9)**]
 - non-publication order, **23:31, 23:46** [CC **539, 542(2)**]
 - power to receive, **23:33** [CC **540**]
 - reading at trial, **31:45** [CC **715**]
 - exception, **31:49** [CC **715(4)**]
 - reply evidence, **23:14** [CC **537(1)(g)**]
 - statement by accused, **23:43** [CC **541(3)**]
 - taking of evidence, **23:33** [CC **540**]
 - variance not affecting validity, **23:74, 23:76** [CC **546(c), 547**]
 - where inquiry limited by agreement, **23:13, 23:84** [CC **536.5, 549(1.1)**]
- Exclusion of public or witnesses, **23:14** [CC **537(1)(h)**]

PRELIMINARY INQUIRY

—Cont’d

- Fitness of accused
 - see **FITNESS TO STAND TRIAL**
- Inability of justice to continue, **23:77** [CC **547.1**]
- Inquiry by justice, **23:1** [CC **535**]
- Irregularity not affecting validity, **23:74** [CC **546**]
- adjournment, **23:76** [CC **547**]
- Jurisdiction, **23:1, 23:9, 23:67, 23:78** [CC **535, 536.1(5), 543, 548**]
- Place of inquiry, **23:14** [CC **537(1)(a)**]
- Powers of justice, **23:14, 23:78** [CC **537, 548**]
- Pre-inquiry hearing, **23:12** [CC **536.4**]
- Prosecutor
 - address, **23:14** [CC **537(1)(f)**]
 - agreement to limit scope of inquiry, **23:13** [CC **536.5**]
 - reply evidence, **23:14** [CC **537(1)(g)**]
 - request for preliminary inquiry, **23:5** [CC **536(4), 536.1(3)**]
 - statement of issues and witnesses, **23:11** [CC **536.3**]
- Reading evidence at trial, **31:45** [CC **715**]
- Regulation by justice, **23:14** [CC **537(1)(i)**]
- Remand
 - to custody, **23:14** [CC **537(1)(c)**]
 - bringing accused before justice, **23:14** [CC **537(1)(e)**]

PRELIMINARY INQUIRY

—Cont'd

- Remand—Cont'd
 - to custody, **23:14** [CC **537(1)(c)**]
 - Cont'd
 - for purposes of, **23:14** [CC **537(1)(b)**]
 - to justice of another jurisdiction, **23:68** [CC **543(1)**]
 - transmission of evidence, **23:69** [CC **543(2)**]
 - to Nunavut Court Judge, **23:9** [CC **536.1(1)**]
 - to provincial court judge, **23:6, 23:8** [CC **536(1), (3)**]
- Request for
 - accused organization, failure to request, **25:15** [CC **556(3), (4)**]
 - duty of court where not made, **23:5, 23:9, 25:15** [CC **536(4.3), 536.1(4.2), 556(3), (4)**]
 - endorsement on information, **23:5, 23:9** [CC **536(4.1), 536.1(4)**]
 - notice of right to, **23:7, 23:9** [CC **536(2), 536.1(2)**]
 - Nunavut, in, **23:9** [CC **536.1(3) to (4.2)**]
 - preferred indictment where not made, **27:2, 27:6, 27:6** [CC **574(1.1), 577, (1.2)**]
 - requirement, **23:5, 23:9** [CC **536(4), 536.1(3)**]
 - where multiple accused, **23:5, 23:9** [CC **536(4.2), 536.1(4.1)**]
- Statement of issues and witnesses, **23:11** [CC **536.3**]
- Transcript
 - transmission to clerk, **23:87** [CC **551**]

PRELIMINARY INQUIRY

—Cont'd

- Transcript—Cont'd
 - transmission to justice having jurisdiction, **23:69** [CC **543(2)**]
- Trial of issue of fitness, **28:19, 28:21, 28:23** [CC **672.23(1), 672.25(1), 672.27(b), (2)(a)**]
- Variance not affecting validity, **23:74** [CC **546**]
- adjournment, **23:76** [CC **547**]
- Witnesses, See also WITNESS
 - application of general Code provision, **31:1** [CC **697**]
 - deposition, **23:33** [CC **540**]
 - exclusion, **23:14** [CC **537(1)(h)**]
 - inappropriate questioning of, limiting, **23:14** [CC **537(1.1)**]
 - prisoner as witness, **21:116** [CC **527**]
 - recognizance to testify at trial, **23:86** [CC **550**]
 - refusal to testify, **23:72** [CC **545**]
 - witness for accused, **23:41, 23:40** [CC **541(1), (4), (5)**]
 - where accused absent but counsel present, **23:70** [CC **544(5)**]
- Young persons, **42:83** [YCJA **67(7), (8)**]

PRESENCE OF ACCUSED

- See also ABSCONDING
- Accused absconding
 - accused deemed present, **31:48** [CC **715(3)**]
 - at preliminary inquiry, **23:70** [CC **544**]
 - at trial, **19:11** [CC **475**]

PRESENCE OF ACCUSED

—Cont'd

- Appeal, 27:205, 27:208, 29:42, 29:100, 38:103, 38:137 [CC 650.01, 650.02, 683(2.1), 688, 822, 839(2)]
- Appearance by designated counsel of record, 27:205, 27:208 [CC 650.01, 650.02]
- Appearance by organization, 23:29, 25:15, 27:115, 27:118, 38:28, 38:46 [CC 538, 556, 620, 623, 800, 802.1]
- Appearing personally, accused not, 20:4 [CC 485(1.1)]
- Bail hearing, 21:75 [CC 515(2.2), (2.3)]
- Conditions for remote appearance, 32:3, 32:4 [CC 715.23 to 715.24]
- Dangerous offender application, 27:205, 27:208, 35:29 [CC 650.01, 650.02, 758]
- Disposition hearing, 28:46 [CC 672.5(13)]
- Fitness of accused
see FITNESS TO STAND TRIAL
- Habeas corpus application, 27:205, 37:6 [CC 650.01(3)(a)(iii), 774.1]
- Plea of guilty, 27:199, 27:200, 27:205 [CC 650(1) to (2), 650.01(3)(c)]
- Preliminary inquiry, 23:14, 27:205, 27:208 [CC 537(1)(j) to (k), 650.01, 650.02]
 - admission of evidence, 31:45 [CC 715]
 - permission to be absent, 23:14 [CC 537(1)(j.1)]
 - warning to accused re admissibility of evidence,

PRESENCE OF ACCUSED

—Cont'd

- Preliminary inquiry, 23:14, 27:205, 27:208 [CC 537(1)(j) to (k), 650.01, 650.02]—Cont'd
 - 23:14 [CC 537(1.01)]
- Remote appearance
 - appeals, 29:42, 29:100, 38:103, 38:137 [CC 683(2.1), 688(2.1), 822, 839(2)]
 - bail hearing, 21:75 [CC 515(2.2), (2.3)]
 - disposition hearing, 28:46, 39:8 [CC 672.5(13), 848]
 - preliminary inquiry, 23:14 [CC 537(1)(j) to (k)]
 - trial, 27:198 [CC 650(1)]
- Summary conviction trial, 27:205, 27:208, 38:28, 38:46 [CC 650.01, 650.02, 800, 802.1]
- Summons re Identification of Criminals Act, 20:6.50, [CC 485.2, Forms 6.1, 6.2]
- Trial requirement of, 27:199, 27:200, 27:205, 27:208 [CC 650(1) to (2), 650.01, 650.02]

PRESERVATION (OF DATA)

Demand

- generally, 20:54 [CC 487.012(1)]
- assistance order, 20:73 [CC 487.02]
- conditions for making, 20:55 [CC 487.012(2)]
- conditions within, 20:53 [CC 487.012(5)]
- destruction of data, 20:67, 20:72 [CC 487.0194(1), 487.0199]
- expiry, 20:53 [CC 487.012(4)]

PRESERVATION (OF DATA)

—Cont'd

Demand—Cont'd

further demand, no, **20:53**

[CC 487.012(6)]

limitation, **20:53** [CC

487.012(3)]

offence, **20:70, 20:72** [CC

487.0197, 487.0199]

revocation, **20:53** [CC

487.012(4)]

self-incrimination, **20:69** [CC

487.0196]

Order

generally, **20:56** [CC

487.013(1)]

application for review of keep

account open or active

order, **20:65.50** [CC

487.01921]

assistance order, **20:73** [CC

487.02]

conditions for making, **20:56**

[CC 487.013(2)]

conditions in, **20:63** [CC

487.019]

destruction of data, **20:67,**

20:72 [CC 487.0194(2),

487.0199]

expiry, **20:56** [CC 487.013(6)]

form, **20:56** [CC 487.013(4)]

keep account open or active

order, **20:56.50** [CC

487.0131]

limitation, **20:56** [CC

487.013(5)]

offence, **20:71, 20:72** [CC

487.0198, 487.0199]

offence against law of foreign

state, **20:56** [CC

487.013(3)]

particulars, production of,

20:65 [CC 487.0192]

prohibiting disclosure, **20:64**

[CC 487.0191]

PRESERVATION (OF DATA)

—Cont'd

Order—Cont'd

self-incrimination, **20:69** [CC

487.0196]

Report, **20:75** [CC 487.021(2)]

Review, **20:75** [CC 487.021(1)]

PRESERVATION OF ORDER IN COURT

See also CONTEMPT

Application, **20:8** [CC 486(1.1)]

Exclusion of public, **20:9** [CC

486(1)]

Power to preserve, **20:2** [CC

484]

PRESUMPTIONS AND INFERENCES

Age, **7:84, 7:89, 27:246** [CC

172.1(3), 172.2(3), 658(2)]

Agreement or arrangement —

offence against child, **7:89**

[CC 172.2(3)]

Arson, intent to defraud, **14:35**

[CC 435(2)]

Baiting animals, **14:74** [CC

446(4)]

Breaking and entering, **12:100**

[CC 348(2)(a)]

Breaking out, **12:100** [CC

348(2)(b)]

Cattle theft, **12:69** [CC 338(3)]

Cheque dishonoured, **12:173,**

12:174 [CC 362(4), (5)]

Distinguishing mark on public

stores, **13:97** [CC 421(2)]

Failure to provide necessities,

10:3 [CC 215(4)]

False pretence, dishonoured

cheque, **12:173** [CC

362(4)]

Firearm serial number defaced,

5:60 [CC 108(1)(a)]

PRESUMPTIONS AND

INFERENCES—Cont'd

- Fire set negligently, **14:38** [CC **436(2)**]
- Fraud by holder of fire insurance, **14:35** [CC **435(2)**]
- Fraud in obtaining food and lodging, **12:181** [CC **364(2)**]
- Importation, port of shipment, **13:90** [CC **414**]
- Innocence, **41:63**, **41:19** [CA **11(d)**, **6(1)(a)**]
- Intent to affect assay, **13:54** [CC **396(2)**]
- Intent to commit offence in dwelling-house, **12:116** [CC **349(2)**]
- Luring child, **7:87** [CC **172.1(3)**]
- Making sexually explicit material available to child, **7:80** [CC **171.1(3)**]
- Newspaper proprietor and defamatory libel, **10:379** [CC **303**]
- Ownership of property, **27:45** [CC **588**]
- Parentage, **10:3** [CC **215(4)(b)**]
- Proceeds of crime, **17:26** [CC **462.39**]
- Property in lumber or equipment, **12:70** [CC **339(4)**]
- Sanity, **2:40** [CC **16**]
- Seditious intention, **3:18** [CC **59(4)**]
- Summary conviction not appealed, **38:100** [CC **820**]
- Theft of ore or minerals, **27:237** [CC **656**]
- Unlawfully in dwelling house, **12:116** [CC **349(2)**]
- Vehicle identification number removed, **12:138**, **12:136** [CC **354(2)**, (3)]

PRESUMPTIONS AND

INFERENCES—Cont'd

- Wilfulness, **14:3** [CC **429(1)**]

PREVENTION OF CRIME

- Use of force, **2:102** [CC **27**]
- excessive force, **2:100** [CC **26**]

PREVENTIVE DETENTION

- See DANGEROUS OFFENDER

PREVIOUS CONVICTIONS

- See also CHARACTER EVIDENCE

- Adducing evidence
 - accused not appearing, **27:261** [CC **665**]
 - in answer to evidence of good character, **27:262** [CC **666**]
 - in support of greater punishment, **27:261** [CC **665**]
 - notice, **27:261** [CC **665**]
- Bar to prosecution, **27:109**, **27:251** [CC **610**, **661(2)**]
- Certificate, **40:50** [CEA **12(2)**]
- Greater punishment for subsequent offences
 - gaming and betting, **9:22** [CC **202(2)**]
 - motor vehicle offence, **10:182** [CC **255(4)**]
 - use of firearm in commission of offence, **5:1**, **5:7**, **5:13** [CC **84(5)**, **85(3)(b)**, (6)]
- Indictment, information, to contain no reference, **27:259**, **38:15** [CC **664**, **789(2)**]
- Manner of proving, **27:268**, **40:50** [CEA **12(2)**]

PRINCE EDWARD ISLAND

- Generally, **1:3**, **7:61**, **8:42**, **10:411**, **21:1**, **22:15**, **25:1**,

PRINCE EDWARD ISLAND

—Cont'd

27:151, 34:184, 38:84 [CC
2, 164(8), 188(4), 320(8),
493, 534, 552, 638(3),
745.6(3), 812]

PRIOR INCONSISTENT STATEMENT

Generally, 40:34 to 40:45 [CEA
9 to 11]

PRISON

See also ESCAPE AND
RESCUE, PRISONER

Delivery of prisoner, 34:165
[CC 744]

Employee as peace officer, 1:3
[CC 2]

Murder of keeper as first degree,
10:67 [CC 231(4)(b)]

“Prison,” 1:3, 27:114 [CC 2,
618]

Protection of authorities, 2:105
[CC 28(2)(b)]

Sentence to penitentiary, 34:80
[CC 731]

PRISONER

See also ESCAPE AND
RESCUE, PRISON

Assisting escape, prisoner of
war, 6:100 [CC 148]

Delivery to prison, 34:165 [CC
744]

Employee as peace officer, 1:3
[CC 2]

Murder of keeper as first degree,
10:67 [CC 231(4)(b)]

“Prison,” 1:3, 27:114 [CC 2,
618]

Procuring attendance, 21:116
[CC 527]

form of order, 21:116 [CC
527(3) to (5)]

PRISONER—Cont'd

Protection of authorities, 2:105
[CC 28]

Sentence to penitentiary, 34:151
[CC 743.1]

Statement of conviction on
delivery, 34:165 [CC 744]

Transfer of prisoner, 21:116 [CC
527(7) to (9)]

PRIVACY

See also INTERCEPTION OF
PRIVATE COMMUNICA-
TIONS

Business record, 40:90 [CEA
30(10)(a)(ii), (iii)]

Communications within mar-
riage, 40:8 [CEA 4(3)]

Documentary evidence for
foreign proceedings, 40:159
[CEA 50(2)]

PRIVATE PROSECUTION

Confirmation hearing
appearance of Attorney Gen-
eral, 21:52 [CC 507.1(4)]
court shopping prohibited,
21:52 [CC 507.1(7)]

exemptions, 21:52 [CC
507.1(9)]

information deemed not laid,
21:52 [CC 507.1(5), (6)]

issuance of process, 21:45,
21:52 [CC 507(2) to (8),
507.1(2) to (8)]

new evidence for new hearing,
21:52 [CC 507.1(7)]

procedure when witnesses
attend, 21:47, 21:52 [CC
507(2), 507.1(8)]

referral of information, 21:53
[CC 507.1(1)]

“Designated justice,” 21:52 [CC
507.1(10)]

PRIVATE PROSECUTION

—Cont'd

- Intervention by Attorney General, **27:19, 27:18** [CC **579.1, 579.01**]
- Laying information, **21:32** [CC **504**]
- Preferred indictment in, **27:2, 27:6** [CC **574(3), 577(b)**]
- Recommendation as public prosecution, **27:15, 27:19** [CC **579(2), 579.1(2)**]
- Referral of information, **21:53** [CC **507.1(1)**]
- Stay by Attorney General, **27:15, 27:19** [CC **579(1), 579.1(2)**]
- Summons or warrant to compel attendance
 - conditions for issuance, **21:52** [CC **507.1(3)**]
 - endorsement authorizing release, **21:51, 21:52** [CC **507(6), 507.1(8)**]
 - undertaking or appearance
 - notice deemed confirmed, **21:45, 21:52** [CC **507(7), 507.1(8)**]
 - information deemed not laid, **21:52** [CC **507.1(5), (6)**]
 - power to issue, **21:49, 21:52** [CC **507(4), 507.1(2), (8)**]
 - procedure when witnesses attend, **21:47, 21:52** [CC **507(2), 507.1(8)**]
 - process compulsory, **21:47, 21:52** [CC **507(2), 507.1(8)**]
 - process in blank prohibited, **21:50, 21:52** [CC **507(5), 507.1(8)**]
- Young persons, against, **42:27** [YCJA **24**]

PRIVILEGE

- Documents in possession of lawyer, **20:120** [CC **488.1**]
- Foreign proceedings, **40:159** [CEA **50(2)**]
- Intercepted communications, **8:47** [CC **189(6)**]
- Public interest immunity (Crown privilege)
 - confidences of Queen's Privy Council for Canada, **40:140** [CEA **39**]
 - international relations, see sensitive information
 - national defence and security, see sensitive information
 - potentially injurious information, see sensitive information
- sensitive information
 - agreement to disclose, **40:123, 40:124** [CEA **38.031, 38.04(6) to (7)**]
 - appeals from orders
 - concerning, **40:124, 40:130, 40:131, 40:132, 40:133** [CEA **38.04(7), 38.1, 38.09, 38.11, 38.12**]
 - applications to Federal Court re
 - Attorney General of Canada, by, **40:125** [CEA **38.04(1)**]
 - confidentiality of, **40:124** [CEA **38.04(4)**]
 - evidence admissible to determine, **40:127** [CEA **38.06(3.1)**]
 - ex parte representations, public hearing, **40:132** [CEA **38.11(2)**]

PRIVILEGE—Cont'd

Public interest immunity (Crown privilege)—Cont'd
 sensitive information—Cont'd
 applications to Federal Court re—Cont'd
 general, **40:124 [CEA 38.04(2)]**
 notice to Attorney General of Canada, **40:122 [CEA 38.03(4)]**
 procedure, **40:124 [CEA 38.04(5)]**
 protective order, **40:133 [CEA 38.12]**
 special rules, **40:132 [CEA 38.11(1), (1.1)]**
 termination, **40:124 [CEA 38.04(7)]**
 authorization by Attorney General of Canada, **40:122 [CEA 38.03]**
 certificate prohibiting disclosure, **40:134, 40:135 [CEA 38.13, 38.131]**
 annual report re, **40:139 [CEA 38.17]**
 review of certificate, **40:135 [CEA 38.131]**
 court records, **40:124, 40:133 [CEA 38.04(4), 38.12(2)]**
 defined, **40:119 [CEA 38]**
 disclosure conditions, **40:127 [CEA 38.06(2)]**
 disclosure order, **40:127, 40:128, 40:129 [CEA 38.06, 38.07, 38.08]**
 disclosure prohibited, **40:121, 40:127 [CEA**

PRIVILEGE—Cont'd

Public interest immunity (Crown privilege)—Cont'd
 sensitive information—Cont'd
 38.02, 38.06(3)]
 prohibition, order confirming, **40:127, 40:128 [CEA 38.06(3), 38.07]**
 entities, designated, **40:120, 40:121 [CEA 38.01(6), Sched., 38.02(1.1), (8)]**
 fiat of Attorney General taking over prosecution, **40:137 [CEA 38.15]**
 annual report re, **40:139 [CEA 38.17]**
 limitation periods for appeals, **40:130, 40:131 [CEA 38.09(2), 38.1]**
 military proceedings, in, **40:120, 40:122 [CEA 38.01(5), 38.03(2)]**
 notice to Attorney General of Canada, **40:120, 40:121, 40:122 [CEA 38.01, 38.02(1.1) to (2), 38.03(3)]**
 exceptions, **40:120, 40:121 [CEA 38.01(6) to (8), 38.02(2)]**
 regulations concerning, power to make, **40:138 [CEA 38.16]**
 report relating to proceedings, **40:126 [CEA 38.05]**
 review of orders concerning, automatic, **40:124, 40:129 [CEA 38.04(7), 38.08]**

PRIVILEGE—Cont’d

- Public interest immunity (Crown privilege)—Cont’d
- sensitive information—Cont’d
- right to fair trial, protection of, and, **40:136 [CEA 38.14]**
- when determination takes effect, **40:127 [CEA 38.06(3.01)]**
- specified public interest
- appeals of orders relating to, **40:115, 40:116 [CEA 37.1, 37.2]**
- disclosure order, **40:110, 40:118 [CEA 37(4.1) to (5), 37.3(8) to (9)]**
- limitation periods for
- appeals and objections, **40:114, 40:115, 40:116 [CEA 37(4), 37.1(2), 37.2]**
- objection to disclosure on basis of, **40:111 [CEA 37(1)]**
- application to Federal Court for determination, **40:110, 40:114 [CEA 37(3)(a), (4)]**
- body other than superior court, to, **40:113 [CEA 37(3)]**
- evidence admissible to determine, **40:110 [CEA 37(6.1), (9)]**
- obligation of court, person or body, **40:110 [CEA 37(1.1)]**
- right to fair trial, protection of, **40:118 [CEA 37.3]**
- superior court, to, **40:112, 40:110 [CEA 37(2), (3)(b)]**

PRIVILEGE—Cont’d

- Public interest immunity (Crown privilege)—Cont’d
- specified public interest
- Cont’d
- objection to disclosure on basis of, **40:111 [CEA 37(1)]—Cont’d**
- when determination effective, **40:110 [CEA 37(7)]**
- prohibition order, **40:110 [CEA 37(6)]**
- right to fair trial, protection of, **40:118 [CEA 37.3]**
- Self-incrimination, **40:15, 41:63, 41:75 [CEA 5, CA 11(c), 13]**

PRIZE FIGHT

- Attending, **3:66 [CC 83(1)(c)]**
- Engaging in prize fight, **3:66 [CC 83(1)(a)]**
- “Prize fight,” **3:68 [CC 83(2)]**
- Promoting, **3:66 [CC 83(1)(b)]**

PROBATION

- Bodily substance
- see BODILY SUBSTANCE
- Conditions, **34:85 [CC 732.1(2) to (3.2)]**
- change in circumstances, **34:88 [CC 732.2(3)]**
- compelling appearance of accused, **34:88 [CC 732.2(6)]**
- organizations, for, **34:85 [CC 732.1(3.1), (3.2)]**
- relief or change in conditions after conviction of offence, **34:88 [CC 732.2(5)]**
- restitution, **34:122 [CC 738(1)]**

PROBATION—Cont'd

- Conviction while under probation, **34:88** [CC 732.2(5)]
- Order
 - breach, **34:91** [CC 733.1]
 - duration, **34:88** [CC 732.2(2)]
 - effective date, **34:89** [CC 732.2(1)]
 - form, **34:85** [CC 732.1(4)]
 - making of order, **34:81** [CC 731(1)]
 - reading and delivery of order, **34:85** [CC 732.1(5), (6)]
 - suspension pending appeal, **29:49, 29:42, 29:50** [CC 683(5), (5.1), (6)]
 - transfer, **34:90** [CC 733(1)]
 - court unable to act, **34:90** [CC 733(2)]
- Organizations, for, **34:85** [CC 732.1(3.1), (3.2)]
- Pre-sentence report, **34:48** [CC 721(1)]
- Report by probation officers, **34:47** [CC 721]
 - content of report, **34:47** [CC 721(3)]
 - copy of report, **34:47** [CC 721(5)]
- Victim impact statement, **34:50** [CC 722(1)]
 - copies, **34:51** [CC 722.1]

PROCEEDS OF CRIME

- Defined, **17:1** [CC 462.3(1)]
- Designated offences
 - defined, **17:1** [CC 462.3(1) to (2)]
 - prosecutorial jurisdiction, **17:1** [CC 462.3(3) to (4)]
 - regulations defining, power to make, **17:1** [CC 462.3(2)]

PROCEEDS OF CRIME

—Cont'd

- Disclosure
 - income tax information, **17:36** [CC 462.48]
 - informants, immunity of, **17:35** [CC 462.47]
 - order for disclosure, **17:36** [CC 462.48(3) to (5)]
- Forfeiture
 - derived from other offences, **17:21** [CC 462.37(2)]
 - designated offence, committed in relation to, **17:20** [CC 462.37(1)]
 - notice of application, **17:28** [CC 462.41]
 - fine in lieu of, **17:19** [CC 462.37(3) to (5)]
 - inference from value of property, **17:26** [CC 462.39]
 - in rem hearing, **17:24** [CC 462.38]
 - appeal from order, **17:32** [CC 462.44]
 - application for forfeiture, **17:25** [CC 462.38(1)]
 - notice of application, **17:28** [CC 462.41]
 - orders for forfeiture, **17:24** [CC 462.38(2) to (2.1)]
 - property outside Canada, **17:24** [CC 462.38(2.1)]
 - person deemed absconded, **17:24** [CC 462.38(3)]
 - particular circumstances, **17:19** [CC 462.37(2.01)]
 - pattern of criminal activity, **17:19** [CC 462.37(2.04), (2.05)]
 - property outside Canada, order respecting, **17:19, 17:24**

PROCEEDS OF CRIME

—Cont'd

- Forfeiture—Cont'd
 - [CC 462.37(2.1), 462.38(2.1)]
 - relief from, 17:30 [CC 462.42]
 - restitution, 29:103 [CC 689]
 - voidable transfers, 17:27 [CC 462.4]
- From commission of drug offences, 44:45 [CDA 18]
- Income tax information, disclosure of, 17:36 [CC 462.48]
- Informants, immunity of, 17:35 [CC 462.47]
- Laundering, 17:2 [CC 462.31]
- Management order
 - appointment of Minister to manage, 17:9 [CC 462.331(2)]
 - destruction of property pursuant to, 17:9 [CC 462.331(4) to (7)]
 - duration of, 17:9 [CC 462.331(8)]
 - power of court, 17:9 [CC 462.331(1), (7)]
 - power to manage, 17:9 [CC 462.331(1), (3) to (4)]
 - variation of, 17:9 [CC 462.331(9)]
- Prosecutorial jurisdiction, 17:1 [CC 462.3(3) to (4)]
- Regulations, 17:38 [CC 462.5]
- Restraint order
 - generally, 17:6 [CC 462.33]
 - application, 17:7 [CC 462.33(1)]
 - automatic expiry of, 17:16 [CC 462.35]
 - copies of documents, 17:34 [CC 462.46]

PROCEEDS OF CRIME

—Cont'd

- Restraint order—Cont'd
 - disposal of property restrained, 17:31 [CC 462.43]
 - appeal from order, 17:32 [CC 462.44]
 - property outside Canada, 17:31 [CC 462.43(2)]
 - forwarding to clerk of trial court, 17:18 [CC 462.36]
 - management order pending restraint, 17:9 [CC 462.331]
 - property outside Canada, 17:6 [CC 462.33(3.1)]
 - review of, 17:10 [CC 462.34]
 - suspension pending appeal, 17:33 [CC 462.45]
- Special search warrant
 - generally, 17:4 [CC 462.32]
 - automatic expiry of, 17:16 [CC 462.35]
 - conditions, 17:4, 17:5.50 [CC 462.32(2.01), 462.321(2)]
 - disposal of property seized, 17:31 [CC 462.43]
 - appeal from order, 17:32 [CC 462.44]
 - property outside Canada, 17:31 [CC 462.43(2)]
 - execution in Canada, 17:5.50 [CC 462.321(3.1)]
 - execution of warrant, 17:4 [CC 462.32(2.1), (2.2), (3)]
 - detention of property, 17:4 [CC 462.32(4)(a)]
 - management order post seizure, 17:9 [CC 462.331]

PROCEEDS OF CRIME

—Cont'd

- Special search warrant—Cont'd
 - report to judge of property seized
 - forwarding to clerk of trial court, **17:18** [CC **462.36**]
 - provided to owner, **17:4** [CC **462.32(4)(c)**]
 - requirement for, **17:4** [CC **462.32(4)(b)**]
 - return of proceeds, **17:4** [CC **462.32(4.1)**]
 - review of, **17:10** [CC **462.34**]

PROCLAMATION

- Judicial notice of, **37:21** [CC **781(2)**]
- Order to prohibit drilling, **3:37** [CC **70(1)**]
- Printing or tendering false, **12:203** [CC **370**]
- Proof, **40:73**, **40:74** [CEA **21**, **22**]
- Imperial proclamation, **40:72** [CEA **20**]
- Riot proclamation, **3:33**, **3:34** [CC **67**, **68**]

PROCURING

- See also AVAILS, COUNSEL-LING
- Commission of offence
 - offence committed, **2:76**, **2:75** [CC **22(1)**, **(2)**]
 - offence not committed, **18:6** [CC **464**]
- “Counsel” includes, **2:75** [CC **22(3)**]
- Feigned marriage, **10:358** [CC **292(1)**]
- Offence
 - generally, **10:344** [CC **286.3(1)**]

PROCURING—Cont'd

- Offence—Cont'd
 - 18 years of age, sexual services from, **10:343** [CC **286.3(2)**]

PRODUCTION OF RECORDS

- See also DISCLOSURE, PRODUCTION ORDERS
- Banking record, **40:85** [CEA **29(6)**]
- Business record, **40:90** [CEA **30(3) to (5)**]
- Certified copy, **40:84** [CEA **28(1)**]
- Copy of record in proceedings, **40:83** [CEA **28**]
- Foreign proceedings, **40:152**, **40:159** [CEA **46**, **50(2)**]
- Power of court on appeal, **29:42**, **38:137** [CC **683(1)(a)**, **839(2)**]
- Records of automobile master key sales, **12:133** [CC **353(3)**, **(4)**]
- Witness statements, written, **40:40** [CEA **10(1)**]

PRODUCTION ORDERS

- Appeal court, power to make, **29:42**, **38:137** [CC **683(1)(a)**, **839(2)**]
- Application for review of, **20:66** [CC **487.0193**]
- Banking records, for, **40:85** [CEA **29(6)**]
- Business records, for, **40:90** [CEA **30(3)**, **(5)**]
- Commercial information, for
 - copies of business records, for, **40:90** [CEA **30(3)**]
 - part of business record, for, **40:90** [CEA **30(5)**]
 - right of court to examine record, **40:90** [CEA **30(6)**]

PRODUCTION ORDERS

—Cont'd

- Destruction of data, **20:67, 20:72**
[CC 487.0194(1),
487.0199]
- Financial information, for
generally, **20:62** [CC
487.018(1)]
compulsion by order only,
40:85 [CEA 29(5)]
conditions for making, **20:62**
[CC 487.018(3)]
conditions in, **20:63** [CC
487.019]
copying of records, for, **40:85**
[CEA 29(6)]
form, **20:62** [CC 487.018(4)]
identification of person, **20:62**
[CC 487.018(2)]
inspection of records, for,
40:85 [CEA 29(6)]
limitation, **20:62** [CC
487.018(5)]
- Foreign proceedings, re
power to order production,
40:152 [CEA 46]
self-crimination protection,
40:159 [CEA 50]
- General order
generally, **20:58** [CC
487.014(1)]
conditions for making, **20:57**
[CC 487.014(2)]
conditions in, **20:63** [CC
487.019]
form, **20:57** [CC 487.014(3)]
limitation, **20:57** [CC
487.014(4)]
production order — specified
dates, **20:57.50** [CC
487.0141]
- Offence, **20:71** [CC 487.0198]

PRODUCTION ORDERS

—Cont'd

- Personal record of complainant,
for
appeal from order re, **10:303**
[CC 278.91]
application for production
content and form, **10:296**
[CC 278.3(3)]
costs orders, **10:296** [CC
278.3(3)]
forum, **10:294, 10:295** [CC
278.3(1), (2)]
grounds, insufficient,
10:293 [CC 278.3(4)]
hearing in camera, **10:297**
[CC 278.4(1)]
persons who may appear,
10:297 [CC 278.4(2)]
publication ban, **10:302**
[CC 278.9]
offence re, **10:302** [CC
278.9(2)]
service of application and
subpoena, **10:293** [CC
278.3(5), (6)]
application of legislation,
10:289 [CC 278.1]
definition of “record,” **10:289**
[CC 278.1]
- production to accused
conditions on production,
10:300 [CC 278.7(3)]
copy to prosecutor, **10:300**
[CC 278.7(4)]
factors considered, **10:300**
[CC 278.7(2)]
power of court to order,
10:300 [CC 278.7(1)]
publication ban, **10:302**
[CC 278.9]
reasons for decision, **10:301**
[CC 278.8]

PRODUCTION ORDERS

—Cont'd

- Personal record of complainant, for—Cont'd
 - production to accused
 - Cont'd
 - retention of record by court, **10:300 [CC 278.7(6)]**
 - use limited to proceedings, **10:300 [CC 278.7(5)]**
 - production to court for review
 - duty of court upon review, **10:299 [CC 278.6(1)]**
 - factors considered, **10:298 [CC 278.5(2)]**
 - hearing in camera, **10:299 [CC 278.6]**
 - power of court to order, **10:298 [CC 278.5(1)]**
 - publication ban, **10:302 [CC 278.9]**
 - reasons for decision, **10:301 [CC 278.8]**
 - retention of record by court, **10:300 [CC 278.7(6)]**
 - publication ban, **10:302 [CC 278.9]**
- Related orders
 - application for review of keep account open or active order, **20:65.50 [CC 487.01921]**
 - assistance, **20:73 [CC 487.02]**
 - particulars, production of, **20:65 [CC 487.0192]**
 - prohibiting disclosure, **20:64 [CC 487.0191]**
- Report, **20:75 [CC 487.021(2)]**
- Review, **20:75 [CC 487.021(1)]**
- Sealing order re information to obtain, **20:115 [CC 487.3]**
- Self-incrimination, **20:69 [CC 487.0196]**

PRODUCTION ORDERS

—Cont'd

- Sentencing court, power to make, **34:54 [CC 723(3)]**
- Third party records
 - see personal record of complainant, for
- Tracing specified communications, for
 - generally, **20:59 [CC 487.015(1)]**
 - conditions for making, **20:59 [CC 487.015(2)]**
 - conditions in, **20:63 [CC 487.019]**
 - form, **20:59 [CC 487.015(3)]**
 - limitation, **20:59 [CC 487.015(5)]**
 - report, **20:59 [CC 487.015(6)]**
 - service, **20:59 [CC 487.015(4)]**
- Tracking data, for
 - generally, **20:61 [CC 487.017(1)]**
 - conditions for making, **20:61 [CC 487.017(2)]**
 - conditions in, **20:63 [CC 487.019]**
 - form, **20:61 [CC 487.017(3)]**
 - limitation, **20:61 [CC 487.017(4)]**
- Transmission data, for
 - generally, **20:60 [CC 487.016(1)]**
 - conditions for making, **20:60 [CC 487.016(2)]**
 - form, **20:60 [CC 487.016(3)]**
 - limitation, **20:60 [CC 487.016(4)]**
- Witness statements, written, for, **40:40 [CEA 10(1)]**

PROHIBITION

- See EXTRAORDINARY REMEDIES

PROHIBITION ORDER

- See also FIREARMS
- Attending public park frequented by children, **7:33 [CC 161]**
- Attending public swimming pool frequented by children, **7:33 [CC 161]**
- Breach offence, **13:27 [CC 380.2(4)]**
- Communication or contact with child, **7:33 [CC 161]**
- Custody or control of animal or bird, **14:75, 14:76 [CC 446(5), (6)]**
- Employment involving authority over property, re, **13:27 [CC 380.2]**
- Fraud, **13:27 [CC 380.2]**
- Internet access, **7:33 [CC 161]**
- Operation of aircraft, motor vehicle, vessel or railway equipment, **10:206, 10:213 [CC 259, 260]**
- Stay of order pending appeal, **10:216 [CC 261]**
- Volunteering with children, **7:33 [CC 161]**
- Working with children, **7:33 [CC 161]**

PROMISE TO APPEAR

- See also JUDICIAL INTERIM RELEASE
- Confirmation or cancellation by justice, **21:55 [CC 508(1)]**
- Contents, **21:24 [CC 501]**
- Effect after direct indictment, **21:104 [CC 523(1.2)]**
- Effect after remand to another jurisdiction, **23:67 [CC 543(2)(b)]**
- Failure to appear, **6:87 [CC 145(5)]**
- Giving on holiday, **2:62 [CC 20]**

PROMISE TO APPEAR

—Cont'd

- Time in force, **21:104, 34:113 [CC 523, 735]**
- Warrant may issue, **21:67 [CC 512]**

PROMISSORY NOTE

- See also VALUABLE SECURITY
- Photograph as evidence, **40:93 [CEA 31(2)]**

PROOF OF SERVICE

- See SERVICE

PROPERTY

- See DEFENCE, FIRE, MISCHIEF, POSSESSION

PROPERTY OBTAINED BY CRIME

- See also POSSESSION
- Bringing into Canada, offence, **12:160 [CC 357]**
- Exportation prohibited in rem, **12:154 [CC 355.3]**
- Importation prohibited in rem, **12:154 [CC 355.3]**
- Possession for purpose of trafficking, **12:155, 12:156 [CC 355.4, 355.5]**
- Trafficking in, **12:153, 12:156 [CC 355.2, 355.5]**

PROSPECTUS

- False, **13:60 [CC 400]**

PROTECTION OF PERSONS ENFORCING LAW

- See also DEFENCE
- Judicial officers
 - no proceedings when conviction quashed, **37:25 [CC 783]**
- Master of ship, **2:131 [CC 44]**

PROTECTION OF PERSONS

ENFORCING LAW

—Cont'd

Parent or schoolteacher, **2:127**

[CC 43]

Person enforcing law, **2:89** [CC
25(1)]

as included offence, **27:253**
[CC 662(5)]

assisting peace officer, **2:89**,
2:105, **2:111** [CC 25(1),
28, **31**]

execution of process, **2:90**,
2:105, **2:106** [CC 25(2),
28, **29(3)**]

lawful arrests, **2:92** [CC
25(4)]

preventing escape, **2:93** [CC
25(5)]

from a penitentiary, **2:93**
[CC 25(5)]

suppressing riot, **2:113**, **2:115**
[CC 32, 33]

use of force, **2:91**, **2:102** [CC
25(3), **27**]

deadly force, **2:91**, **2:92**,
2:93 [CC 25(3), (4),
(5)]

excessive force, **2:100** [CC
26]

self-preservation, **2:91** [CC
25(3)]

Public officers, **2:88** [CC 25]

Surgeon performing operation,
2:132 [CC 45]

PROTECTION OF PRIVACY

See INTERCEPTION OF
PRIVATE COMMUNICA-
TIONS

PROVINCIAL COURT JUDGE

(FORMERLY MAGISTRATE)

Generally, **1:3**, **20:1**, **25:2**, **25:7**
[CC 2, 483, 553, 554(1)]

PROVINCIAL LAWS

Language of court and, **27:35**
[CC 582]

Proof of service and, **2:2** [CC
4(6.1)]

Service in accordance with,
31:13 [CC 701.1]

PROVOCATION

See also MANSLAUGHTER

Illegal arrest and provocation,
10:74 [CC 232(4)]

Provoked assault, **2:125** [CC 35]

Reduction of murder to man-
slaughter, **10:75** [CC
232(1)]

What constitutes, **2:126**, **10:76**
[CC 36, 232(2)]

PROWLING AT NIGHT

Generally, **7:112** [CC 177]

PSYCHIATRIC OBSERVATION

See ASSESSMENTS (MENTAL
DISORDER)

PUBLIC

See EXCLUSION OF PUBLIC;
PUBLICITY

PUBLICATION

See also LIBEL, OBSCENITY

Admission or confession at pre-
liminary, **23:46** [CC
542(2)]

Ban on, see PUBLICITY

Defamatory libel, **10:371** [CC
299]

see also Defamatory Libel

Evidence from preliminary,
23:31, **23:46** [CC 539,
542(2)]

Obscene matter, **7:42** [CC 163]

consent to prosecution after
seizure, **7:61** [CC
164(7)]

PUBLICATION—Cont'd

- Obscene matter, **7:42** [CC 163]
 - Cont'd
 - punishment, **7:77** [CC 169]
- Prohibitions
 - evidence taken at preliminary inquiry, **23:31** [CC 539]
 - evidence taken at show cause hearing, **21:87** [CC 517]
 - identity of complainant or witness, **20:20, 20:22, 38:80** [CC 486.4, 486.5, 810.5]
 - sexual activity of complainant, **10:280** [CC 276]
 - when jury separated, **27:190** [CC 648]
- Publishing judicial proceedings
 - not defamatory libel, **10:383** [CC 305]
- Punishment, **7:77** [CC 169]
 - restriction when jury separated, **27:190** [CC 648]
- Rules of court, **19:35** [CC 482(4)]
- Seditious libel, **3:18** [CC 59]
 - sufficiency of counts, **27:38** [CC 584]
- Sexual offences
 - identity of complainant, **20:20** [CC 486.4]

PUBLICATION BAN

See PUBLICITY

PUBLIC CONVEYANCE

- Fraud in fare collection, **13:50** [CC 393(1)]
 - jurisdiction of provincial court judge, **25:2** [CC 553(c)(viii)]
- Fraudulently obtaining
 - transportation, **13:49** [CC 393(3)]

PUBLIC CONVEYANCE

—Cont'd

- Interfering with transportation facilities, **10:132** [CC 248]

PUBLIC DOCUMENT

- Certified copy as evidence, **40:77, 40:79** [CEA 24, 25]

PUBLIC INTEREST

IMMUNITY

See PRIVILEGE

PUBLICITY

- Non-disclosure of witness's identity, **20:19** [CC 486.31]
- Order restricting publication
 - application, **20:20, 20:22, 28:48, 38:80** [CC 486.4, 486.5, 672.501(5), 810.5]
 - factors to be considered, **20:22, 28:48** [CC 486.5, 672.501(3)]
 - for certain offences, **20:20, 20:22** [CC 486.4, 486.5]
 - juror identity, to protect, **27:133** [CC 631(6)]
- Prohibition (ban) re
 - child pornography, **28:48** [CC 672.501(2)]
 - evidence at preliminary inquiry, **23:31, 23:46** [CC 539, 542(2)]
 - evidence at show cause hearing
 - judicial interim release, **21:87, 21:94, 21:97** [CC 517, 520(9), 521(10)]
 - identity of complainant, **20:20, 20:22, 5:70, 38:80, 42:131** [CC 486.4, 486.5, 112, 810.5, YCJA 111]
 - identity of juror, **27:133** [CC 631(6)]

PUBLICITY—Cont'd

- Prohibition (ban) re—Cont'd
 - not criminally responsible, **28:48** [CC 672.501(3)]
 - sexual offence, **28:48** [CC 672.501(1)]
 - trial information where jury not present, **27:190** [CC 648]
 - witness under, **2:56, 20:17, 42:131, 42:132** [CC 18, 486.3, YCJA 111, 112]
 - young offenders, **42:86, 42:92, 42:129, 42:132** [YCJA 69, 75, 110, 112]

PUBLIC MISCHIEF

- Generally, **6:71** [CC 140]

PUBLIC OFFICER

- See also POLICE OFFICER
- Assault on, **10:255** [CC 270(1)(a)]
- Breach of trust, **6:17** [CC 122]
- Bribery, **6:6** [CC 120]
- Disability on conviction, **34:196** [CC 748(2), (6)]
- Failure to assist, **6:34** [CC 129(b)]
- False return, **13:58** [CC 399]
- Misconduct executing process, **6:33** [CC 128]
- Obstructing, **6:34** [CC 129(a)]
- Personation, **6:44, 6:47** [CC 130, 130.1]
- Protection, **2:88** [CC 25]
- “Public officer,” **1:3** [CC 2]
- Use of force, **2:88** [CC 25]
 - excessive force, **2:100** [CC 26]
- Vacancy in office on conviction, **34:196** [CC 748(1), (6)]
- Weapons, **5:89** [CC 117.07]

PUBLIC PEACE

- See BREACH OF PEACE

PUBLIC PLACE

- Offences in public place
 - causing disturbance, **7:99** [CC 175(1)(a)]
 - indecent act, **7:91** [CC 173(1)]
 - indecent exhibition, **7:42, 7:99** [CC 163(2)(b), 175(1)(c)]
 - loitering, **7:99** [CC 175(1)(c)]
 - nudity, **7:95** [CC 174(1)(a)]
 - soliciting, **9:62** [CC 213]
 - “Public place,” **7:1, 9:2, 10:408** [CC 150, 197(1), 319(7)]

PUBLIC REVENUE

- False statement or return, **13:58** [CC 399]

PUBLIC SEAL

- Forgery, **12:200** [CC 369(c)]

PUBLIC STORES

- Distinguishing mark
 - applying or removing, **13:93** [CC 417(1)]
 - prescription, **13:92** [CC 416]
- Military stores
 - receiving, **13:96** [CC 420]
- “Public stores,” **1:3** [CC 2]
- Selling defective stores, **13:94** [CC 418(1)]
 - loss of capacity to contract, **34:200** [CC 750(3), (4)]
- Unlawful transactions, **13:93** [CC 417(2)]
 - presumption, **13:97** [CC 421(2)]

PUBLIC TRANSIT OPERATOR

- Assault against
 - aggravating factor, **10:253** [CC 269.01(1)]

PUBLIC TRANSIT OPERATOR
—Cont'd

Assault against—Cont'd
definitions re, **10:253** [CC
269.01(2)]
Defined, **10:253** [CC **269.01(2)**]

PUBLIC UTILITY

Breach of contract likely to inter-
rupt, **13:98** [CC **422**]

PUNISHMENT

See also SENTENCE, YOUTH
CRIMINAL JUSTICE

Alternative measures
defined, **34:2** [CC **716**]
disclosure of records, **34:7**
[CC **717.4**]
government records, **34:6** [CC
717.3]
police records, **34:5** [CC
717.2]
records of persons dealt with,
34:4 [CC **717.1**]
when may be used, **34:3** [CC
717(1)]
admissions not admissible
in evidence, **34:3** [CC
717(3)]
laying of information, etc.,
34:3 [CC **717(5)**]
no bar to proceedings, **34:3**
[CC **717(4)**]
restriction on use, **34:3** [CC
717(2)]
Certiorari to review, **37:15** [CC
777(2)]
Conditional sentence, **34:134**
[CC **742.1**]
Degrees of punishment, **34:35**
[CC **718.3**]
Fine
and other punishment, **34:97**
[CC **734(4), (5)**]

PUNISHMENT—Cont'd

Fine—Cont'd
default in payment
imprisonment in default
commencement of term,
34:41, 34:40 [CC
719(1), (5)]
consecutive terms, **34:39**
[CC **718.3(4)**]
cumulative punishments,
34:35 [CC **718.3(5)**]
limit on terms, **34:38,**
34:97, 38:9, 38:7
[CC **718.3(3),**
734(4), 787(2), (5)]
reduction on part pay-
ment, **34:112** [CC
734.8]
sentence by summary
conviction court,
38:9 [CC **787(2)**]
warrant of committal,
34:109, 34:110 [CC
734.7(1) to (2)]
discretion of court, **34:35,**
34:108 [CC **718.3,**
734.7]
disposition of proceeds,
34:104 [CC **734.4**]
fine option program, **34:116**
[CC **736**]
in lieu of other punishment,
34:98 [CC **734(1)**]
licences, permits, **34:105** [CC
734.5]
organizational accused, **34:113**
[CC **735**]
partial payment, **34:112** [CC
734.8]
payment not waiver of appeal,
38:101 [CC **820(1)**]
recovery
fine on organization, **34:113**
[CC **735**]

PUNISHMENT—Cont'd

Fine—Cont'd

remission, **34:197** [CC 748.1]

stay of payment, **29:49**,
38:104, **38:103**, **38:109**
[CC 683(5), 822(1),
(5.1), (6)]

time for payment, **34:101** [CC
734.1]

victim fine surcharge, **34:117**
[CC 737]

Greater punishment for subsequent offence

gaming and betting, **9:22** [CC
202(2)]

pardon not affecting, **34:196**
[CC 748(4)]

use of firearm in commission
of offence, **5:1**, **5:7**, **5:13**
[CC 84(5), 85(3)(b), (6)]

Greater punishment for terrorist activity, 4:36 [CC 83.27]

notice to offender, **4:36** [CC
83.27(2)]

Imprisonment

calculation of term, **34:113**
[CC 735]

commencement of term, **34:40**
[CC 719(3) to (5)]

conditional sentence

compulsory conditions,
34:140 [CC 742.3]

firearm, etc., prohibitions,
34:139 [CC 742.2]

imposing of, **34:134** [CC
742.1]

procedure on breach of
condition, **34:144** [CC
742.6]

reading and delivery of
order, **34:140** [CC
742.3(3), (4)]

supervisor may propose
changes to conditions,

PUNISHMENT—Cont'd

Imprisonment—Cont'd

conditional sentence—Cont'd
34:142 [CC 742.4]

suspension pending appeal,
29:49, **29:42**, **29:50**
[CC 683(5), (5.1), (6)]

transfer of order, **34:143**
[CC 742.5]

where person imprisoned
for new offence,
34:149 [CC 742.7]

fine in lieu, **34:97** [CC 734]
organizations, **34:113** [CC
735]

intermittent, **34:84** [CC
732(1)]

legality of detention, **37:7**
[CC 775]

life imprisonment, **34:167**
[CC 745]

prison or penitentiary, **34:151**
[CC 743.1]

sentence served according to
regulations, **34:158** [CC
743.3]

where no other provision,
34:150 [CC 743]

Liability limited, **2:13** [CC
6(1)(b)]

Minimum punishment, **34:37**,
34:97 [CC 718.3(2), 734]

Non-communication order,
34:157 [CC 743.21]

Organizations, **34:66**, **34:106**,
34:113 [CC 727(4), 734.6,
735]

Parole ineligibility, **34:162**,
34:167 to **34:183** [CC
743.6, 745 to 745.51]

Principles of sentence
fundamental principle, **34:15**
[CC 718.1]

other sentencing principles,
34:19 [CC 718.2]

PUNISHMENT—Cont’d

- Procedure and evidence
 - copies of documents, **34:51** [CC 722.1]
 - information accepted, **34:56** [CC 724]
 - disputed facts, **34:56** [CC 724(3)]
 - relevant information, **34:63** [CC 726.1]
 - where jury, **34:58** [CC 724(2)]
- inquiry by court, **34:65.50** [CC 726.3]
- offender may speak to sentence, **34:61** [CC 726]
- other offences, **34:59** [CC 725]
- previous convictions, **34:66** [CC 727]
- proof of certificate of analyst, **34:69** [CC 729]
- reasons for sentence, **34:65** [CC 726.2]
- report by probation officer, **34:47** [CC 721]
- sentence justified by any court, **34:68** [CC 728]
- sentencing proceedings, **34:45** [CC 720]
- submissions on facts, **34:54** [CC 723]
- victim impact statement, **34:49** [CC 722]
- Purpose of sentencing, **34:8** [CC 718]
- Restitution order, See also RESTITUTION
 - generally, **34:120** [CC 737.1(1)]
 - adjournment, **34:120** [CC 737.1(3)]
 - form, **34:120** [CC 737.1(4)]

PUNISHMENT—Cont’d

- Restitution order, See also RESTITUTION—Cont’d
 - inquiry by court, **34:120** [CC 737.1(2)]
 - reasons, **34:117** [CC 737.1(5)]
- Subsequent conviction
 - pardon not affecting punishment, **34:196** [CC 748(4)]
- Terrorism
 - additional, for “terrorist activity”
 - notice to offender, **4:26** [CC 83.21(2)]
 - additional, for “terrorist activity,” **4:26** [CC 83.21]
 - notice to offender, **4:26** [CC 83.21(2)]
 - aggravating circumstance, **34:19** [CC 718.2(a)(v)]
 - sentences served
 - consecutively, **4:35** [CC 83.26]
 - sentencing principles, **34:19** [CC 718.2(a)(v)]

PYRAMID SELLING

- Generally, **9:32** [CC 206(1)(e)]

QUEBEC

- Generally, **1:3, 21:1, 22:15, 25:1, 27:151, 34:184, 36:18, 38:84, 7:61, 8:1, 8:42, 10:411, 20:121** [CC 2, 493, 534, 552, 638(3), 745.6(3), 772(2), 812, 164(8), 183, 188(4), 320(8), 488.1(1)]

QUEEN

- Alarming the Queen
 - evidence of overt acts, **3:12** [CC 55]
 - statement in indictment, **27:25, 27:77** [CC

QUEEN—Cont'd

- Alarming the Queen—Cont'd
evidence of overt acts, **3:12**
[CC 55]—Cont'd
581(4), 601(9)
- Bodily harm or assassination,
3:1 [CC 46(1)(a)]
evidence of overt acts, **3:12**
[CC 55]
statement in indictment,
27:25, 27:77 [CC
581(4), 601(9)]
- punishment, **3:3** [CC 47(1),
(4)]
- specific charge of high
treason, **27:35** [CC 582]

RACE

- See EQUALITY

RADIO

- See also TELECOMMUNICA-
TION SERVICE
- False message, **12:206** [CC
372(1)]

RAILWAY EQUIPMENT

- Breach of contract likely to
delay, **13:98** [CC 422(1)(e)]
- Fraud in obtaining transporta-
tion, **13:49** [CC 393(3)]
- Interfering with safety of
persons, **10:132** [CC 248]

REAL PROPERTY

- Defence with claim of right,
2:126 [CC 42(3)]
- Defence without claim of right,
2:126 [CC 42(2)]
- Fraudulent concealment of title
documents, **13:37** [CC
385(1)]
- Fraudulent registration of title,
13:38 [CC 386]
- Ownership, **27:45** [CC 588]

REASONS FOR JUDGMENT

- Furnishing to court of appeal,
29:41 [CC 682(2)]
- Grounds of dissent on appeal,
29:25 [CC 677]
- Reserving decision, **27:174** [CC
645(4)]

RECEIPT

- Fraudulent receipt under Bank
Act, **13:43** [CC 390]
- Photograph as evidence, **40:93**
[CEA 31(2)]
- Purported receipt, **13:41** [CC
388]
- Valuation, **2:5** [CC 4(3)]

RECEIVER GENERAL

- Payment of penalties, **34:54** [CC
723(2)]

RECEIVING

- See POSSESSION

RECOGNIZANCE

- See also JUDICIAL INTERIM
RELEASE, TERRORISM
- Acknowledgment in false name,
13:77 [CC 405]
- Arrest not vacating, **36:5** [CC
765]
- Arrest of accused
on another charge, **36:5** [CC
765]
on application of surety, **36:6,**
36:7 [CC 766, 767]
- Before officer in charge
confirmation or cancellation
by justice, **21:54** [CC
508]
failure to appear, **6:82** [CC
145]
laying of information, **21:40**
[CC 505]
- Conditions in, **38:61** [CC
810(3.02)]

RECOGNIZANCE—Cont'd

- Default
 - application for forfeiture, **36:15 [CC 771(1)]**
 - endorsement, **36:12 [CC 770]**
- Deposit of money or other valuable security
 - transfer on forfeiture, **36:14 [CC 771(4)]**
 - transmission to clerk on default, **36:12 [CC 770(4)]**
- Effect after direct indictment, **21:104 [CC 523(1.2)]**
- Effect of remand to another jurisdiction, **15:11 [CC 453(b)]**
- Entering into on holiday, **2:62 [CC 20]**
- Forfeiture
 - application, **36:1 [CC 762(1)]**
 - committal of sureties, **36:19 [CC 773]**
 - payment of penalties, **34:104 [CC 734.4]**
- Form, **39:61 [CC Form 32]**
- On certiorari application, **37:17 [CC 779]**
- On release pending appeal or new trial, **29:29 [CC 679(5)]**
 - arrest after release, **29:29 [CC 679(6)]**
- On summary conviction appeal, **38:94, 38:96, 38:98 [CC 816, 817, 818]**
- Peace, to keep
 - breach of, **38:81 [CC 811]**
 - criminal organization offence feared, **38:67 [CC 810.01]**
 - damage feared, **38:61 [CC 810]**
 - forced marriage, **38:69 [CC 810.02]**

RECOGNIZANCE—Cont'd

- Peace, to keep—Cont'd
 - forms, **39:51, 39:61 [CC Forms 23, 32]**
 - injury feared, **38:61 [CC 810]**
 - intimidation of justice system participants feared, **38:67 [CC 810.01]**
 - marriage under age of 16 years, **38:69 [CC 810.02]**
 - serious personal injury offence feared, **38:69 [CC 810.02]**
 - sexual offence feared, **38:70 [CC 810.1]**
 - terrorism offence feared, **38:68 [CC 810.011]**
 - terrorist activity feared, **4:40 [CC 83.3]**
 - young persons, against, **42:17, 42:23 [YCJA 14(4), 20(2)]**
- Recognizance of witness at preliminary, **23:86 [CC 550]**
 - default, **31:19 [CC 705(2)]**
 - recognizance after arrest, **31:20 [CC 706]**
- Refusal to enter into, **38:61 [CC 810(3.01)]**
- Sheriff's certificate of committal, **36:6 [CC 766(3)]**
- Sureties
 - additional sureties, **36:3 [CC 764(2)]**
 - application for relief, **36:6 [CC 766]**
 - arrest of accused, **36:6 [CC 766(2)]**
 - committal on forfeiture, **3:43 [CC 73]**
 - discharge, **36:3 [CC 764(3)]**
 - render of accused, **36:6, 36:7 [CC 766, 767]**

RECOGNIZANCE—Cont'd

- Sureties—Cont'd
 - rights reserved, **36:10** [CC 768]
- Time in force, **21:104, 34:113, 36:2, 36:3** [CC 523, 735, 763, 764]
- Transfer of order, **38:77** [CC 810.22]
- Vacating, **21:106, 36:6** [CC 523(2), 766]
 - not vacated by arrest on other charge, **36:5** [CC 765]
- Video conference, appearance via, **38:76** [CC 810.21]

RECORD

- See also DOCUMENT, REGISTER
- Automobile master key sales, **12:133** [CC 353(3)]
- Bank record as evidence, **40:85** [CEA 29]
- Business record as evidence, **40:90** [CEA 30]
- False extract or copy, **12:215** [CC 378]
- Imperial record
 - proof, **40:72** [CEA 20]
- Judicial proceeding
 - custody of record, **25:21** [CC 559(2)]
 - entering of particulars, **27:43** [CC 587(3)(b)]
 - entitlement of Minister of Justice, **29:39** [CC 682(5)]
 - entitlement of parties to appeal, **29:39** [CC 682(4)]
 - entry of stay of proceedings, **27:15** [CC 579(1)]
 - furnishing to court of appeal, **29:41** [CC 682(2)]

RECORD—Cont'd

- Judicial proceeding—Cont'd
 - indictment amended, **27:121** [CC 625]
 - transmission, **23:67, 25:50, 27:71, 29:41, 38:102** [CC 543, 570, 599, 682(2), 821]
 - change of venue, **27:74, 27:75** [CC 599(3), (4)]
 - preliminary inquiry, **23:87** [CC 551]

RECORD SUSPENSION

- Civil disabilities, removal of, **34:200** [CC 750(2)]
- DNA orders and, **46:27** [DNA 10(8)]
- Record of conviction
 - removal of disabilities, **34:200** [CC 750(2)]
 - royal prerogative of mercy, **34:196, 34:198** [CC 748, 749]
- SOIRA orders and
 - domestic offenders, **20:141** [CC 490.015(3), (5)]
 - international offenders, **20:154** [CC 490.026(5)]

REDUCTION OF IMPRISONMENT ON PARTIAL PAYMENT

- See COMPENSATION AND RESTITUTION

RE-ELECTION

- See ELECTION (MODE OF TRIAL)

REGISTER

- Destroying or defacing, **12:214** [CC 377(1)]
- False extract, **12:215** [CC 378]
- Fraudulent registration of title, **13:38** [CC 386]

REGISTRAR

Referral of appeal for summary determination, **29:56 [CC 685]**

REGULATIONS

“Designated offence,” defining, **17:1 [CC 462.3(2)]**

“Designated offence” defining, **17:1 [CC 462.3(2)]**

Law enforcement, concerning, **44:97 [CDA 55(2) to (2.10)]**

Miscarriages of justice, respecting, **30:8 [CC 696.6]**

“Serious offence,” defining, **18:23 [CC 467.1(4)]**

“Serious offence” defining, **18:23 [CC 467.1(4)]**

Service of sentence according to regulations, **34:84 [CC 732(1)]**

Young offenders, **42:177 [YCJA 154]**

RELEASE FROM CUSTODY

See also JUDICIAL INTERIM RELEASE

By peace officer

where arrested without warrant, **21:21 [CC 498(1)]**

where arrested with warrant, **21:22 [CC 499]**

Contents of

appearance notice, **21:23, F39:35 [CC 500, Form 9]**

undertaking, **21:24 [CC 501]**

RELIGIOUS WORSHIP

Disturbance, **7:109 [CC 176]**

REMAND

See ADJOURNMENT (REMANDS)

REMAND FOR OBSERVATION

See ASSESSMENTS (MENTAL DISORDER)

REMEDICATION

AGREEMENTS

Admissions as evidence, **33:4, 33:5 [CC 715.33(2), 715.34(2)]**

Completion, order declaring successful, **33:11 [CC 715.4]**

Conditions for, **33:3 [CC 715.32(1)]**

Conflicts of interest re monitor, **33:6 [CC 715.35]**

Considerations/factors, **33:3 [CC 715.32(2), (3)]**

Contents

mandatory, **33:5 [CC 715.34(1)]**

Court

approval, application for, **33:8 [CC 715.37]**

definition of, **33:1 [CC 715.3(1)]**

order for approval, **33:8 [CC 715.37(6)]**

Deadline, **33:12 [CC 715.41]**

Definition of, **33:1 [CC 715.3(1)]**

Definitions, **33:1 [CC 715.3]**

Evidence, admissions as, **33:4, 33:5 [CC 715.33(2), 715.34(2)]**

Inform, duty to, **33:7 [CC 715.36]**

Monitor, independent, **33:6 [CC 715.35]**

Negotiation, invitation for, **33:4 [CC 715.33(1)]**

Notice to organization, **33:4 [CC 715.33(1)]**

Offence, definition of, **33:1 [CC 715.3(1)]**

REMEDICATION

AGREEMENTS—Cont'd

Organization, definition of, **33:1**
[CC 715.3(1)]

Publication, **33:13** [CC 715.42]

Purpose, **33:2** [CC 715.31]

Regulations, **33:14** [CC 715.43]

Stays of proceedings, **33:8**,
33:11, **33:10** [CC
715.37(7), 715.4,
715.39(3)]

Termination orders, **33:10** [CC
715.39]

Variation orders, **33:9** [CC
715.38]

Victim

acting on behalf of, **33:1** [CC
715.3(2)]

consideration re approval,
33:8 [CC 715.37(3)]

definition of, **33:1** [CC
715.3(1)]

duty to inform, **33:7** [CC
715.36]

impact statement, **33:8** [CC
715.37(4)]

surcharge, **33:8** [CC
715.37(5)]

REMOTE ATTENDANCE

Accused, **32:3 to 32:4.70** [CC
715.23 to 715.243]

Attendance, **32:1** [CC 715.21]

Audioconference provisions,
32:2 [CC 715.22]

Cessation, **32:2.50** [CC 715.222]

Judge, **32:6** [CC 715.26]

Juries, **32:32:7** [CC 715.27]

Justice, **33:7** [CC 715.36]

Participants, **32:5** [CC 715.25]

Principles, **32:1**, **32:2** [CC
715.21, 715.22]

Reasons, **32:2.30** [CC 715.221]

REMOTE ATTENDANCE

—Cont'd

Videoconference provisions,
32:2 [CC 715.22]

RESCUE

See ESCAPE AND RESCUE

RESIDENTIAL PREMISES

See DWELLING-HOUSE

RESISTING ARREST

Assault with intent, **10:255** [CC
270(1)(b)]

Causing death
first degree murder, **10:67**
[CC 231(4)]

RES JUDICATA

See also PLEA

Generally, **2:19**, **2:32**, **41:63**
[CC 8, 12, CA 11(h)]

RESTITUTION

Ability to pay, **34:124** [CC
739.1]

Bodily harm, **34:121** [CC
738(1)(b), (c), (2)]

Civil remedy not affected,
34:132 [CC 741.2]

Claim form, **39:64** [CC Form
34.1]

Condition of probation, **34:122**,
34:121 [CC 738(1), (2)]

Fraud offences, for, **39:64** [CC
Form 34.1]

More than one person, **34:126**
[CC 739.3]

Notice of orders, **34:131** [CC
741.1]

Order for restitution, **20:194**
[CC 491.1]

Payment under order, **34:125**
[CC 739.2]

Person acting in good faith, to,
34:123 [CC 739]

RESTITUTION—Cont'd

- Powers of court on appeal,
29:103, 38:104, 38:137
[CC 689(1), 822(1), 839(2)]
- Priority to forfeiture order,
34:128 [CC 740]
- Property, 34:121 [CC 738(1)(a),
(2)]
- Public authority, 34:127 [CC
739.4]
- Rules of court, 19:35 [CC
482(3)(d)(iv)]
- Seized property, 20:127 [CC
489.1]
- Suspension of order, 29:49,
38:104, 38:137, 38:135,
38:141 [CC 683(5), 822(1),
839(2), (5.1), (6)]

RESTRICTED DRUGS

See DRUG OFFENCES

RETROACTIVITY

- Prohibition against laws, 41:63
[CA 11(g)]

RETURN

- False return by public officer,
13:58 [CC 399]
- Sheriff's return, 36:19 [CC 773]

REVENUE PAPER

- Defined, 12:1 [CC 321]
- Making or possessing, 12:200
[CC 369]

REVIEW BOARDS

See also DISPOSITIONS AND
DISPOSITION HEAR-
INGS (MENTAL DISOR-
DER), FITNESS TO
STAND TRIAL

Composition

- chairperson, 28:36 [CC
672.4(1)]
- members, 28:35 [CC 672.39]

REVIEW BOARDS—Cont'd

Composition—Cont'd

- quorum, 28:37 [CC
672.41(1)]
- transitional, 28:36, 28:37 [CC
672.4(2), 672.41(2)]

Establishment of, 28:34 [CC
672.38]

Powers, 28:39 [CC 672.43]
“Review Board,” 28:1 [CC
672.1(1)]

Rules, 28:40 [CC 672.44]

Sex offender information
registration

duty to notify subject of dis-
charge, 20:172 [CC
490.02915(2)]

duty to notify subject of order,
20:144, 20:172 [CC
490.018, 490.02915(2)]

entitlement to copy of order,
20:144 [CC
490.018(1)(d)(i)]

Stay of proceedings —
permanently unfit accused
notice to accused, 28:91 [CC
672.851(2)]

power to recommend, 28:91
[CC 672.851(1)]

REWARD

Recovery of goods obtained by
crime, 6:77 [CC 142]

**RIGHT NOT TO BE
ARBITRARILY
DETAINED OR
IMPRISONED**

Generally, 41:52 [CA 9]

RIGHT TO COUNSEL

See COUNSEL

**RIGHT TO LIFE AND
LIBERTY**

Generally, 41:22 [CA 7]

RIOT

Duty to disperse or arrest, **2:115**
[CC 33]

neglect of duty, **3:36** [CC 69]

Failure to disperse, **3:34** [CC
68(b), (c)]

Hindering reading of proclamation,
3:34 [CC **68(a)**]

Proclamation, **3:33, 3:34** [CC
67, 68]

Protection of persons enforcing
law, **2:113, 2:115** [CC **32,**
33]

Punishment, **3:29** [CC **65**]
where identity concealed, **3:31**
[CC **65(2)**]

Riot defined, **3:27** [CC **64**]

Use of force to suppress, **2:113**
[CC **32**]

ROBBERY

Armed robbery, **12:82** [CC
343(d)]

Offences, **5:48, 12:82** [CC **98.1,**
343]

Punishment/sentence

DNA order on conviction discharge,
20:77, 20:81 [CC
487.04, 487.051]

general, **12:87** [CC **344(1)(b)**]

where firearm stolen, **5:48**
[CC **98.1**]

where firearm used, **12:87**

[CC **344(1)(a), (a.1)**]

subsequent offences, **12:89,**
12:90 [CC **344(2), (3)**]

where home invasion
involved, **12:113** [CC
348.1]

where intent to steal firearm,
5:48 [CC **98.1**]

Stopping mail with intent, **12:91**
[CC **345**]

To steal firearm, **5:48** [CC **98.1**]

ROYAL CANADIAN

MOUNTED POLICE

Assisting deserter, **3:13** [CC **56**]

ROYAL PREROGATIVE OF MERCY

Generally, **34:198, 34:201** [CC
749, 751]

RULES OF COURT

General, **19:35** [CC **482**]

Judicial notice, **37:21** [CC
781(2)]

Power to make, **19:36, 19:37, (2)**
[CC **482(1), 482.1, (2)**]

Publication, **19:35** [CC **482(4)**]

Review of parole eligibility,
34:190 [CC **745.64**]

Subject-matter, **19:35** [CC
482(3)]

Taking of commission evidence,
31:35 [CC **714**]

Uniform rules, **19:35** [CC
482(5)]

SABOTAGE

Attorney General's consent,
3:9.70 [CC **52.3**]

device, **3:9.50** [CC **52.2**]

essential infrastructure, **3:9.20**
[CC **52.1**]

greater certainty, **3:9** [CC
52(5)]

Mischief, **14:5** [CC **430**]

Offence, **3:9** [CC **52**]

evidence of overt acts, **3:12**
[CC **55**]

Statement in indictment, **27:25**
[CC **581(4)**]

SAFE-BREAKING

See also **BREAKING AND
ENTERING, BREAK-IN
INSTRUMENTS**

Possession of instruments,
12:125 [CC **351(1)**]

SANITY

See also **MENTAL DISORDER**
 Presumption of, no mental disorder, **2:42** [CC **16(2)**]

SASKATCHEWAN

Generally, **1:3, 7:61, 8:42, 10:411, 21:1, 25:1, 34:184, 38:84, 38:91** [CC **2, 164(8), 188(4), 320(8), 493, 552, 745.6(3), 812, 814(1)**]

SCHOOLTEACHER

Correction of pupil, **2:127** [CC **43**]
 excessive force, **2:100** [CC **26**]

SCURRILOUS MATTER

Delivery by mail, **7:74** [CC **168**]
 punishment, **7:77** [CC **169**]

SEAL OF COURT

Forms not requiring, **39:9** [CC **849(2)**]
 sealing order, **20:115** [CC **487.3**]

SEARCH AND SEIZURE

See also **FORFEITURE**,
PROCEEDS OF CRIME,
SEARCH WARRANTS,
TERRORIST GROUP

Assistance order, **20:73** [CC **487.02**]
 Banking record, **40:85** [CEA **29(7)**]
 Cocks in cock-pit, **14:77** [CC **447(2)**]
 Counterfeit and equipment, **15:30** [CC **462(2)**]
 Crime comic, **7:61** [CC **164**]
 Detention of things seized, **20:129** [CC **490**]
 Disorderly house, **9:9** [CC **199**]

SEARCH AND SEIZURE

—Cont'd

Disposition of things seized, **5:87, 20:129** [CC **117.05, 490(9), (11)**]
 Drugs, **44:27 to 44:36** [CDA **11 to 13**]
 Explosives, **20:196** [CC **492**]
 Firearms
 forfeiture of seized thing, **5:83** [CC **117.03(3)**]
 no finding or application, **5:88** [CC **117.06**]
 return of seized thing, **5:83** [CC **117.03(2)**]
 seizure on failure to produce authorization, **5:84** [CC **117.03(1)**]
 without warrant, **5:82, 5:85** [CC **117.02, 117.04(2), (3)**]
 General warrant, **20:47** [CC **487.01**]
 electronic surveillance, **20:51, 20:47** [CC **487.01(4), (5)**]
 Hate propaganda, **10:411, 10:412** [CC **320(2) to (7), 320.1**]
 Management of seized property
 destruction of property pursuant to order, **20:191, 44:38** [CC **490.81(4) to (7), CDA 14.1(4) to (7)**]
 duration of order, **20:191, 44:38** [CC **490.81(8), CDA 14.1(8)**]
 power of court to order, **20:191, 44:38** [CC **490.81(1), (7), (7), CDA 14.1(1)**]
 power to manage, **20:191, 44:38** [CC **490.81(1), (3) to (4), CDA 14.1(1)**]

SEARCH AND SEIZURE

—Cont'd

Management of seized property

—Cont'd

variation of order, **20:191, 44:38 [CC 490.81(9), CDA 14.1(9)]**

Minerals and precious metals, **13:53 [CC 395]**

Obscene matter, **7:61 [CC 164]**

Photographic evidence of property 20:195

admissibility, **20:195 [CC 491.2(2)]**

attendance for examination, **20:195 [CC 491.2(6)]**

certificate, **20:195 [CC 491.2(3)]**

notice of intention to produce, **20:195 [CC 491.2(5)]**

production of property, **20:195 [CC 491.2(7)]**

secondary evidence, **20:195 [CC 491.2(4)]**

Preservation of things seized, **20:129 [CC 490]**

Report by peace officer, **20:127 [CC 489.1(1)(b)]**

Restitution of seized property, **20:127 [CC 489.1(1)(a)]**

Theft by bailee, **12:34 [CC 324]**

Transmittal to clerk of court, **20:129 [CC 490]**

SEARCH WARRANTS

See also SEARCH AND SEIZURE, TELEWARRANTS

Application for, **5:86 [CC 117.04(1)]**

Assistance order, **20:73 [CC 487.02]**

Detention of things seized, **20:129 [CC 490]**

appeal from disposition order, **20:129 [CC 490(17)]**

SEARCH WARRANTS—Cont'd

Detention of things seized,

20:129 [CC 490]—Cont'd
basis for detention, **20:129 [CC 490(1)]**

copies of returned documents, **20:129 [CC 490(13), (14)]**

detention pending appeal, **20:129 [CC 490(12)]**

disposal of seized items, **20:129, 20:135 [CC 490(9), 490.01, (11)]**

examination by person interested, **20:129 [CC 490(15), (16)]**

further detention, **20:129 [CC 490(2), (3)]**

return of seized property, **20:129, 20:135 [CC 490(5) to (11), 490.01]**

Execution of warrant

execution by day unless otherwise provided, **20:117 [CC 488]**

execution in another territorial division, **20:28, 39:56, 20:28 [CC 487(2), Form 28, (4)]**

seizure of explosives, **20:196 [CC 492]**

seizure of items not specified, **20:126 [CC 489]**

Form of warrant, **20:29, 39:15 [CC 487(3), Form 5]**

Information to obtain warrant form, **39:11 [CC Form 1]**
requirement, **20:27 [CC 487(1)]**

sealing order, **20:115 [CC 487.3]**

Report by peace officer

form, **20:127, 39:29 [CC 489.1(3), Form 5.2]**

SEARCH WARRANTS—Cont'd

- Report by peace officer—Cont'd
 - requirement, **20:128, 20:127** [CC 489.1(1), (3)]
- Restriction on publicity, **20:113** [CC 487.2]
- Return of things seized, **20:128, 20:129, 20:135** [CC 489.1(1), 490(1)(a), (5) to (11), 490.01]
- Seizure of things not specified, **20:126** [CC 489]
- Specialized warrants
 - controlled substances, **44:28** [CDA 11(1)]
 - counterfeit, **15:30** [CC 462(2)]
 - disorderly houses, **9:9** [CC 199]
 - drugs, **44:28** [CDA 11(1)]
 - hate propaganda, **10:411, 10:412** [CC 320(1), 320.1]
 - lumber or lumbering equipment, **12:70** [CC 339(3)]
 - obscene material, **7:62** [CC 164(1)]
 - precious metals, **13:53** [CC 395]
 - proceeds of crime, **17:4, 20:126** [CC 462.32, 489]
 - telewarrants, **20:110** [CC 487.1]

SECOND-HAND GOODS

- Sale without disclosure, **13:87** [CC 411]
 - forfeiture, **13:88** [CC 412(2)]
 - punishment, **13:88** [CC 412(1)]

SECRET COMMISSION

- Generally, **13:115** [CC 426]

SECURE ELECTRONIC SIGNATURES

- Admissibility, **39:5** [CC 845]

SECURITIES

- Affecting public market, **13:6** [CC 380(2)]
 - aggravating circumstances, **13:25** [CC 380.1(1) to (1.1)]
 - non-mitigating factors, **13:25** [CC 380.1(2)]
 - record of sentencing factors, **13:25** [CC 380.1(3)]
- Broker selling for own account, **13:35** [CC 384]
- Defrauding public or person of valuable security, **13:5** [CC 380(1)]
 - aggravating circumstances, **13:25** [CC 380.1(1) to (1.1)]
 - minimum punishment, **13:4** [CC 380(1.1)]
 - non-mitigating factors, **13:25** [CC 380.1(2)]
 - prohibition order, **13:27** [CC 380.2]
 - restitution order, **34:121, 39:64, 34:123** [CC 738, Form 34.1, 739]
- Destruction of valuable security, **12:72** [CC 340(b)]
- False prospectus, **13:60** [CC 400]
 - aggravating circumstances, **13:25** [CC 380.1(1) to (1.1)]
 - non-mitigating factors, **13:25** [CC 380.1(2)]
 - record of sentencing factors, **13:25** [CC 380.1(3)]
- Falsification or destruction, **13:56** [CC 397(1)]
- Gaming in stocks, **13:34** [CC 383(1)]
- Insider trading, **13:33** [CC 382.1]
 - aggravating circumstances,

SECURITIES—Cont'd

- Insider trading, **13:33** [CC **382.1**]
—Cont'd
 13:25 [CC **380.1(1)** to **(1.1)**]
- non-mitigating factors, **13:25** [CC **380.1(2)**]
- record of sentencing factors, **13:25** [CC **380.1(3)**]
- Manipulating exchange transactions, **13:30** [CC **382**]
- aggravating circumstances, **13:25** [CC **380.1(1)** to **(1.1)**]
- non-mitigating factors, **13:25** [CC **380.1(2)**]
- record of sentencing factors, **13:25** [CC **380.1(3)**]
- Printing or using likeness of bank or government securities, **15:21, 15:22** [CC **457(1), (2)**]
- Tipping, **13:33** [CC **382.1(2)**]
- aggravating circumstances, **13:25** [CC **380.1(1)** to **(1.1)**]
- non-mitigating factors, **13:25** [CC **380.1(2)**]
- record of sentencing factors, **13:25** [CC **380.1(3)**]
- “Valuable security”
 generally, **1:3** [CC **2**]
- valuation, **2:4** [CC **4(2)**]

SEDITION

- Armed forces, **3:24** [CC **62**]
- Punishment, **3:20** [CC **61**]
- Seditious conspiracy, **3:18** [CC **59(3)**]
- Seditious intention, **3:18** [CC **59(4)**]
- exception, **3:19** [CC **60**]
- Seditious libel, **3:18** [CC **59(2)**]
- proof, **27:38** [CC **584(3)**]

SEDITION—Cont'd

- Seditious libel, **3:18** [CC **59(2)**]
 —Cont'd
 sufficiency of counts, **27:39, 27:38** [CC **584(1), (2)**]
- Seditious words, **3:18** [CC **59(1)**]
- Superior court jurisdiction, **19:1, 19:2** [CC **468, 469(a)(v)**]

SEIZURE

- See SEARCH AND SEIZURE, SEARCH WARRANTS, TELEWARRANTS, SOLICITOR-CLIENT PRIVILEGE

SELF DEFENCE

- See also DEFENCES (STATUTORY)
- Generally, **2:120, 2:125** [CC **34** to **35**]

SELF-INCRIMINATION

- Answers to incriminating questions, **4:37, 40:17, 41:75** [CC **83.28(8), (10), CEA 5(2), CA 13**]
- Non-compellability as witness against self, **41:63, 41:75** [CA **11(c), 13**]
- Right to silence, **41:22, 42:168** [CA **7, YCJA 146(2)(b)**]

SENTENCE

- See also COMPENSATION AND RESTITUTION: COSTS: DISCHARGE, FINE, PROHIBITION ORDER, PUNISHMENT
- Appeal against sentence, **29:87, 38:104, 38:137** [CC **687, 822(1), 839(2)**]
- Commencement, **34:40** [CC **719**]
- Consecutive sentence, **34:39, 34:175, 34:183** [CC

SENTENCE—Cont'd

- 718.3(4), 745.21, 745.51]**
- Delay for treatment, **34:45 [CC 720(2)]**
- Indeterminate detention, **35:8, 35:13 [CC 753, 753.01]**
- appeal, **35:31 [CC 759]**
- Interim release not part of term, **34:42 [CC 719(2)]**
- Non-communication order, **34:157 [CC 743.21]**
- Order for compensation, **34:121 [CC 738]**
- Parole ineligibility order, **34:162 [CC 743.6]**
- Purpose, principles and objectives, **34:8 to 34:33 [CC 718 to 718.21]**
- Report by probation officer, **34:48 [CC 721(1)]**
- Sentence justified by any count, **27:270 [CC 669]**
- Speaking to sentence, **27:270 [CC 668]**
- Subsequent conviction
 - pardon not affecting sentence, **34:196 [CC 748(4)]**
- Time spent in custody as affecting, **34:43 [CC 719(3)]**
 - exception, **34:40 [CC 719(3.1)]**
 - reasons, **34:40 [CC 719(3.2)]**
 - record of proceedings, **34:40 [CC 719(3.2)]**
 - validity not affected, **34:40 [CC 719(3.4)]**
- Variation on certiorari, **37:15 [CC 777(2)]**
- Victim fine surcharge, **34:117 [CC 737]**
- Victim impact statement, **34:50 [CC 722(1)]**
 - copies, **34:51 [CC 722.1]**

SENTENCE—Cont'd

- VICTIM IMPACT STATEMENT**
 - see also Victim Impact Statement
- Vulnerability, **34:14, 34:32 [CC 718.04, 718.201]**
- Vulnerable persons, offences involving, **34:14 [CC 718.04]**
- Where sentence not specifically provided, **6:28, 6:30, 34:150 [CC 126, 127, 743]**
- Young offender
 - transfer of jurisdiction, **34:131 [CC 741.1(1), (3)]**

SERVANT

- See EMPLOYMENT

SERVICE

- See also NOTICE
- In accordance with provincial laws, **2:2, 31:13 [CC 4(6.1), 701.1]**
- On Sunday or holiday, **2:62 [CC 20]**
- Proof of service of any document, **2:8, 2:9 [CC 4(6) to (7)]**
 - in accordance with provincial laws, **2:2 [CC 4(6.1)]**
- Summons, **2:9, 21:61 [CC 4(7), 509(2)]**

SEVERANCE

- Generally, **24:3, 27:54 [CC 551.3(g)(v), 591(3) to (6)]**

SEX OFFENDER

INFORMATION REGISTRATION

- Appeals
 - compliance orders, **20:140 [CC 490.014]**

SEX OFFENDER

INFORMATION

REGISTRATION—Cont'd

Appeals—Cont'd

exemption orders

domestic offender, **20:152**
[CC 490.024]

offender convicted abroad,
20:163 [CC
490.02906]

termination orders

domestic offender, **20:143**,
20:157 [CC 490.017,
490.029]

offender convicted abroad,
20:167 [CC 490.0291]

transferred offender, **20:171**
[CC 490.02914]

Definitions, See DEFINITIONS

Disclosure of information

authorized, **20:173** [CC
490.03]

Exemption orders

domestic offenders

appeals re, **20:152** [CC
490.024]

application for, **20:150** [CC
490.023]

deemed application, **20:156**
[CC 490.028]

notice requirements, **20:153**
[CC 490.025]

offenders convicted abroad

appeals re, **20:163** [CC
490.02906]

application for, **20:162** [CC
490.02905]

notice requirements,
20:162, **20:164** [CC
490.02905(5),
490.02907]

variation order, application
for, **20:162.50** [CC
490.029051]

SEX OFFENDER

INFORMATION

REGISTRATION—Cont'd

Forms

notice of obligation to comply
with SOIRA, **20:145**,
39:87, **39:88**, **20:158**
[CC 490.019, Form 53,
Form 54, 490.02901]

order to comply with SOIRA,
20:137, **39:86** [CC
490.012(1) to **(2)**, Form
52]

International transfer of offend- ers

appeals, **20:168.60**,
20:168.80, **20:177.60**
[CC 490.029113,
490.02914, 490.06]

exemption orders, **20:168.20**,
20:177.20 [CC
490.029111, 490.04]

notice

release, before, **20:172** [CC
490.02915]

requirements re, **20:168.80**,
20:177.80 [CC
490.029114, 490.07]

termination orders, **20:169**,
20:170 [CC 490.02912,
490.02913]

variation orders, **20:168.40**,
20:177.40 [CC
490.029112, 490.05]

Interpretation of legislation, **20:136** [CC 490.011(2)]

Offences

certificate evidence to prove,
20:174 [CC 490.031(3)
to **(5)**]

non-compliance with obliga-
tions, **20:174** [CC
490.031]

non-compliance with orders,
20:174 [CC 490.031]

SEX OFFENDER

INFORMATION

REGISTRATION—Cont'd

- Offences—Cont'd
 - provision of false or misleading information, **20:175 [CC 490.0311]**
- Order to comply with requirements
 - appeal from, **20:140 [CC 490.014]**
 - commencement, **20:139 [CC 490.013(1)]**
 - duration, **20:139 [CC 490.013]**
 - duties of court, **20:137, 20:144 [CC 490.012, 490.018]**
 - failure to make, **20:137, 20:139.70 [CC 490.012(4), 490.0132]**
 - form, **20:137, 39:86 [CC 490.012(1) to (2), Form 52]**
 - notice requirements, **20:144 [CC 490.018]**
 - powers of court
 - generally, **20:137, 20:144 [CC 490.012, 490.018]**
 - appeals, re, **20:177.60 [CC 490.06]**
 - exemption orders, re, **20:177.20 [CC 490.04]**
 - notice, requirements re, **20:177.80 [CC 490.07]**
 - variation orders, re, **20:177.40 [CC 490.05]**
 - reasons, **20:139.50 [CC 490.0131]**
 - termination order
 - appeal from, **20:143 [CC 490.017]**

SEX OFFENDER

INFORMATION

REGISTRATION—Cont'd

- Order to comply with requirements—Cont'd
 - termination order—Cont'd
 - application for, **20:142 [CC 490.016]**
 - duties of court re, **20:142 [CC 490.016]**
 - notice requirements, **20:142, 20:143 [CC 490.016(3), 490.017(2)]**
 - powers of court re, **20:142 [CC 490.016]**
 - reasons for decision re, **20:142 [CC 490.016(2)]**
 - right to apply for, **20:141 [CC 490.015(1)]**
- Registration requirements
 - exemption orders
 - appeal from, **20:152, 20:163 [CC 490.024, 490.02906]**
 - application for, **20:150, 20:162 [CC 490.023, 490.02905]**
 - deemed application, **20:156 [CC 490.028]**
 - duties of court re, **20:150, 20:162 [CC 490.023, 490.02905]**
 - jurisdiction, **20:150 [CC 490.023(1.1)]**
 - notice requirements, **20:153, 20:162, 20:164 [CC 490.025, 490.02905(5), 490.02907]**
 - powers of court re, **20:150, 20:162 [CC 490.023, 490.02905]**

SEX OFFENDER

INFORMATION

REGISTRATION—Cont'd

Registration requirements

—Cont'd

exemption orders—Cont'd

reasons for decision, **20:150**
[CC 490.023(3)]

removal of information
from database, **20:150**,
20:162 [CC
490.023(4),
490.02905(4)]

right to apply for, **20:151**
[CC 490.023(1)]

form, **20:145**, **39:87**, **39:88**,
20:158 [CC 490.019,
Form 53, Form 54,
490.02901]

notice of

persons who may be served,
20:146, **20:159** [CC
490.02, 490.02902]

service of, **20:147**, **20:160**
[CC 490.021,
490.02903]

offenders' obligations

commencement date,
20:149, **20:161** [CC
490.022(1),
490.02904(1)]

compliance generally,
20:145, **20:158** [CC
490.019, 490.02901]

duration of, **20:148**, **20:161**
[CC 490.022(3),
490.02904(3)]

end date, **20:148**, **20:161**
[CC 490.022(2),
490.02904(2)]

termination orders

domestic offender, **20:141**
to **20:143**, **20:154** to
20:156 [CC 490.015

SEX OFFENDER

INFORMATION

REGISTRATION—Cont'd

Registration requirements

—Cont'd

termination orders—Cont'd

to **490.017**, **490.026** to
490.028

offender convicted abroad,
20:165 to **20:166** [CC
490.02908 to
490.02909]

transferred offender, **20:169**
to **20:170** [CC
490.02912 to
490.02913]

Regulations, power to make
federal, **20:177** [CC 490.032]

Reporting requirements

correctional officials' obliga-
tions

notice before release,
20:172 [CC
490.02915(1)]

offenders' obligations

arrival in Canada, offender
convicted abroad,
20:168 [CC
490.02911]

change of information,
notification of, re,
20:168 [CC
490.02911(2),]

information provision, re,
20:168 [CC
490.02911]

new obligation, **20:168** [CC
490.02911(1.1)]

reporting dates, **20:168** [CC
490.02911(1), CC
490.02911(2)]

subsequent obligation,
20:168 [CC
490.02911(2)]

SEX OFFENDER

INFORMATION

REGISTRATION—Cont'd

Reporting requirements—Cont'd
offenders' obligations
—Cont'd

young offenders, **20:136**
[CC 490.011(2)]

Review Board's obligations
notice on disposition,
20:172 [CC
490.02915(2)]

Termination orders

appeal from
domestic offender, **20:143**,
20:157 [CC **490.017**,
490.029]
offender convicted abroad,
20:167 [CC **490.0291**]
transferred offender, **20:171**
[CC **490.02914**]

application for
domestic offender, **20:141**,
20:154 [CC **490.015**,
490.026]

offender convicted abroad,
20:165 [CC
490.02908]

transferred offender, **20:169**
[CC **490.02912**]

deemed application, **20:156**
[CC **490.028**]

duties of court re

domestic offender, **20:142**,
20:155 [CC **490.016**,
490.027]

offender convicted abroad,
20:166 [CC
490.02909]

transferred offender, **20:170**
[CC **490.02913**]

jurisdiction, **20:141**, **20:154**
[CC **490.015(6)**,
490.026(6)]

SEX OFFENDER

INFORMATION

REGISTRATION—Cont'd

Termination orders—Cont'd
notice requirements

domestic offender, **20:142**,
20:143, **20:155**,
20:157 [CC
490.016(3),
490.017(2),
490.027(3),
490.029(2)]

offender convicted abroad,
20:166, **20:167** [CC
490.02909(3),
490.0291(2)]

transferred offender,
20:170, **20:171** [CC
490.02913(3),
490.02914(2)]

powers of court re

domestic offender, **20:142**,
20:155 [CC **490.016**,
490.027]

offender convicted abroad,
20:166 [CC
490.02909]

transferred offender, **20:170**
[CC **490.02913**]

re-application

domestic offender, **20:141**,
20:154 [CC
490.015(5),
490.026(5)]

offender convicted abroad,
20:165 [CC
490.02908(4)]

transferred offender, **20:169**
[CC **490.02912(4)**]

reasons for decision

domestic offender, **20:142**,
20:155 [CC
490.016(2),
490.027(2)]

offender convicted abroad,
20:166 [CC

SEX OFFENDER

INFORMATION

REGISTRATION—Cont'd

Termination orders—Cont'd

reasons for decision—Cont'd
490.02909(2)

transferred offender, **20:170**
[CC 490.02913(2)]

time for application

domestic offender, **20:141**,
20:154 [CC
490.015(1) to (3),
490.026(2) to (5)]

offender convicted abroad,
20:165 [CC
490.02908(2) to (4)]

transferred offender, **20:169**
[CC 490.02912(2) to
(4)]

Young offenders, rights re,
20:136 [CC 490.011(2)]

SEXUAL ACTIVITY

(HOUSEHOLDER PERMITTING)

See also **CHILD**

Generally, **7:79 [CC 171]**

Removal of child from Canada
with intent, **10:275 [CC**
273.3(1)(c)]

SEXUAL ACTIVITY

(PROCURING)

See also **CHILD**

Generally, **7:78, Sexual Services**
[CC 170, Sexual Services]

Removal of child from Canada
with intent, **10:275 [CC**
273.3(1)(c)]

SEXUAL ACTIVITY

EVIDENCE

Admissible evidence of, **10:282**,
10:283 [CC 276(2), (3)]

Conditions of admissibility,
10:282 [CC 276(2)]

SEXUAL ACTIVITY

EVIDENCE—Cont'd

Considerations/factors, **10:283**
[CC 276(3)]

General rule of admissibility,
10:281 [CC 276(1)]

Interpretation, **10:284 [CC**
276(4)]

SEXUAL ASSAULT

See also **TRAFFICKING**,
PERSONS

Aggravated, **10:268 [CC 273]**

internationally protected
person, outside Canada,
2:16 [CC 7(3)]

punishment where firearm
used, **10:268 [CC**
273(2)(a), (a.1)]

subsequent offences, **10:268**
[CC 273(3), (4)]

punishment where victim
under 16, **10:263 [CC**
272(2)(a.2)]

Causing bodily harm, **10:263**
[CC 272]

“bodily harm” defined, **1:3**
[CC 2]

internationally protected
person, outside Canada,
2:16 [CC 7(3)]

punishment where firearm
used, **10:263 [CC**
272(2)(a), (a.1)]

subsequent offences,
10:266, 10:267 [CC
272(3), (4)]

punishment where victim
under 16, **10:268 [CC**
273(2)(a.2)]

United Nations or associated
personnel, outside Can-
ada, **2:16 [CC 7(3.71)]**

SEXUAL ASSAULT—Cont’d

- Consent, **7:3, 10:234, 10:271**
[CC 150.1, 265(3), 273.1(1)]
 - honest belief, **10:235, 10:272**
[CC 265(4), 273.2]
 - of person under 16, **7:3** [CC 150.1(1) to (2.2), (6)]
- Internationally protected person, outside Canada, **2:16** [CC 7(3)]
- Mistaken belief as to age, **7:7, 7:3** [CC 150.1(4), (6)]
- Offence, **10:261** [CC 271]
 - punishment where victim under 16, **10:261** [CC 271(a), (b)]
- Party to offence, **10:263** [CC 272(1)(d)]
- Rules of evidence
 - corroboration, **10:277** [CC 274]
 - obstructed view testimony, **20:16** [CC 486.2]
 - recent complaint, **10:278** [CC 275]
 - sexual reputation, **10:287** [CC 277]
 - testimony outside courtroom, **20:16** [CC 486.2]
 - videotaped complaint, **31:53** [CC 715.1]
- Safeguarding identity, **20:20, 20:22** [CC 486.4, 486.5]
- Spouse, **10:288** [CC 278]
- Threats to third party, **10:263** [CC 272(1)(b)]
 - internationally protected person, outside Canada, **2:16** [CC 7(3)]
 - punishment where victim under 16, **10:268** [CC 273(2)(a.2)]
 - United Nations or associated personnel, outside Can-

SEXUAL ASSAULT—Cont’d

- Threats to third party, **10:263**
[CC 272(1)(b)]—Cont’d
 - ada, **2:16** [CC 7(3.71)]
- With weapon, **10:263** [CC 272(1)(a)]
 - internationally protected person, outside Canada, **2:16** [CC 7(3)]
 - punishment where firearm used, **10:263** [CC 272(1)(a), (a.1)]
 - punishment where victim under 16, **10:268** [CC 273(2)(a.2)]
 - subsequent offences, **10:266, 10:267** [CC 272(3), (4)]
 - United Nations or associated personnel, outside Canada, **2:16** [CC 7(3.71)]

SEXUAL EXPLOITATION

- Consent of person under 16, **7:3**
[CC 150.1(1)]
- Disabled person, of consent
 - accused’s belief as to consent, **7:21** [CC 153.1(6)]
 - belief in consent not a defence, **7:21** [CC 153.1(5)]
 - no consent obtained, **7:21**
[CC 153.1(3), (4)]
 - offence, **7:21** [CC 153.1(1)]
- Inference, **7:15** [CC 153(1.2)]
- Mistake of age, **7:3** [CC 150.1(5)]
- Offence, **7:16** [CC 153(1)]
- Person with disability, **7:21** [CC 153.1]
- Punishment, **7:15** [CC 153(1.1)]
- Recognizance to prevent offence, **38:70** [CC 810.1]

SEXUAL EXPLOITATION

—Cont'd

Removal of child from Canada with intent, **10:275** [CC 273.3(1)(b)]

RULES OF EVIDENCE, See SEXUAL ASSAULT, SEXUAL ACTIVITY EVIDENCE

Safeguarding identity, **20:20, 20:22** [CC 486.4, 486.5]

SEXUAL INTERCOURSE

Completion of act, **2:7** [CC 4(5)]

SEXUAL INTERFERENCE

Accused aged twelve or thirteen, **7:3** [CC 150.1(3)]

Consent of person under 16, **7:3** [CC 150.1(1) to (2.2), (6)]

Mistake of age, **7:3** [CC 150.1(4), (6)]

Offence, **7:8** [CC 151]

Order of prohibition, **7:33** [CC 161]

Removal of child from Canada with intent, **10:275** [CC 273.3(1)(a)]

Rules of evidence, See SEXUAL ASSAULT, SEXUAL ACTIVITY EVIDENCE

Safeguarding identity, **20:20, 20:22** [CC 486.4, 486.5]

SEXUAL OFFENCE (FEAR OF)

Breach, **38:81** [CC 811]

Historic offences, **7:27** [CC 156]

Recognizance, **38:70** [CC 810.1]

SEXUAL SERVICES

See also AVAILS,
DISORDERLY HOUSE,
PROCURING, SOLICIT-
ING, TRAFFICKING,
PERSONS

SEXUAL SERVICES—Cont'd

Advertisement of

definition of, **7:61** [CC 164(8)]

immunity, **10:346** [CC 286.5(1)]

offence, **10:345** [CC 286.4]

Aiding and abetting, **10:346** [CC 286.5(2)]

Commodification of, **10:340 to 10:346** [CC 286.1 to 286.5]

Communicating to provide for consideration, **9:62** [CC 213(1.1)]

Immunities re, **10:346** [CC 286.5]

Interfering with traffic, **9:63** [CC 213(1)]

Material benefit from generally, **10:342** [CC 286.2(1)]

aggravating factor, **10:342** [CC 286.2(6)]

exception, whether, **10:342** [CC 286.2(4), (5)]

immunity, **10:346** [CC 286.5(1)]

presumption, **10:342** [CC 286.2(3)]

18 years of age, from person under, **10:342** [CC 286.2(2)]

Obtaining

generally, **10:341** [CC 286.1(1)]

convictions, sequence of, **10:340** [CC 286.1(4)]

“place” defined, **10:340** [CC 286.1(5)]

“public place” defined, **10:340** [CC 286.1(5)]

subsequent offences, **10:340** [CC 286.1(3)]

SEXUAL SERVICES—Cont'd

Obtaining—Cont'd

18 years of age, from person under, **10:340 [CC 286.1(2)]**

Procuring

generally, **10:344 [CC 286.3(1)]**

18 years of age, from person under, **10:342 [CC 286.2(3)]**

**SEXUAL TOUCHING
(INVITATION TO)**

Accused aged twelve or thirteen, **7:3 [CC 150.1(3)]**

Consent of person under 16, **7:3 [CC 150.1(1) to (2.2), (6)]**

Offence, **7:13 [CC 152]**

Order of prohibition, **7:33 [CC 161]**

Removal of child from Canada with intent, **10:275 [CC 273.3(1)(a)]**

Rules of evidence, See **SEXUAL ASSAULT, SEXUAL ACTIVITY EVIDENCE**

SHERIFF

As peace officer, **1:3 [CC 2]**

Certificate of committal, **36:6 [CC 766(3)]**

Committal of surety, **36:19 [CC 773(4)]**

Execution of writ of fieri facias, **36:18 [CC 772(1)]**
certificate of return, **36:20 [CC 773(1)]**

Murder as first degree, **10:67 [CC 231(4)(a)]**

Notice of committal, **25:22 [CC 560(1)(a), (2)]**

Notice of trial, **25:22 [CC 560]**

SHIP

See also **VESSELS, MARITIME NAVIGATION,**

SHIP—Cont'd

INTERNATIONAL

Particular offences

act of violence, **3:50 [CC 78.1(2)(a)]**

destroys or causes damage, **3:50 [CC 78.1(2)(b)]**

destroys or causes damage to maritime navigational facility, **3:50 [CC 78.1(2)(c)]**

DNA order on conviction or discharge, **20:77, 20:81 [CC 487.04, 487.051]**

places anything likely to cause damage, **3:50 [CC 78.1(2)(d)]**

seizes or exercises control, **3:50 [CC 78.1(1)]**

threats endangering safe navigation, **3:50 [CC 78.1(4)]**

SLUG OR TOKEN

Fraudulent manufacture, sale or possession, **15:14 [CC 454]**

SOLEMN DECLARATION

See **AFFIDAVIT**

SOLICITING

Generally, **9:62 [CC 213]**

SOLICITOR

See also **COUNSEL**

Fraudulent concealment of title document, **13:36 [CC 385]**

Interception of communications, **8:28, 8:29 [CC 186(2), (3)]**

Privilege respecting documents, **20:120 [CC 488.1]**

“Solicitor,” **8:1 [CC 183]**

SOLICITOR-CLIENT

PRIVILEGE

Generally, **20:120 [CC 488.1]**

SOLICITOR-CLIENT

PRIVILEGE—Cont'd

Application to determine issue,

20:123, 20:124 [CC

488.1(3), (4)]

Definitions

“custodian,” **20:121 [CC**
488.1(1)]

“document,” **20:121 [CC**
488.1(1)]

“judge,” **20:121 [CC**
488.1(1)]

“lawyer,” **20:121 [CC**
488.1(1)]

“officer,” **20:121 [CC**
488.1(1)]

Examination and copying,

20:122, 20:120 [CC

488.1(2), (8)]

Hearing of application

determination of issue, **20:120**
[CC 488.1(4)(d)]

inspection of documents,

20:120, 20:120 [CC

488.1(4)(a), (b)]

notice of hearing, **20:120 [CC**

488.1(10)]

order where no application,

20:120 [CC 488.1(6)]

valid privilege claim, **20:125**

[CC 488.1(5)]

Seizure, **20:122 [CC 488.1(2)]**

SPACE STATION

Definitions, **2:16 [CC 7(2.34)]**

Offence committed by Canadian

crew member, **2:16 [CC**

7(2.3)]

Offence committed by crew

member of Partner State,

2:16 [CC 7(2.31)]

Proceedings by Attorney General

of Canada, **2:16 [CC**

7(2.32)]

consent of Attorney General of

SPACE STATION—Cont'd

Proceedings by Attorney General

of Canada, **2:16 [CC**

7(2.32)]—Cont'd

Canada, **2:16 [CC**

7(2.33)]

SPECIFIC PLEAS

See PLEA

SPOUSE

See also MARRIAGE, PRIVI-
LEGE

As witness, **40:5 [CEA 4]**

Compulsion of, **2:56 [CC 18]**

Duty to provide necessities,

10:3 [CC 215(1)(b)]

Failure to provide necessities,

10:5 [CC 215(2)]

necessaries provided by

another no defence, **10:3**

[CC 215(4)(d)]

punishment, **10:6 [CC 215(3)]**

Grandfathered individual, next of

kin, **47:13 [FA 12(7)]**

Interview with, on firearms

licence application, **47:45**

[FA 55(2)]

Intimidation, **13:101 [CC**

423(1)(a)]

exception, **13:101 [CC**

423(2)]

punishment, **13:102 [CC**

423(1)]

Privilege for communications,

40:8 [CEA 4(3)]

Restitution to, **34:121 [CC**

738(1)(c)]

Sentencing principles protecting,

34:19 [CC 718.2(a)(ii)]

Sexual assault by, **10:288 [CC**

278]

Sureties to protect, **38:62, 38:61**

[CC 810(1), (3.2)]

**STALKING ANOTHER
PERSON**

See **CRIMINAL HARASS-
MENT**

STAMP

As chattel, **2:4** [CC 4(2)]
As property, **1:3** [CC 2]
Counterfeiting or mutilating,
12:211 [CC 376(1)(a)]
Possession of counterfeit, **12:211**
[CC 376(1)(b)]
“Stamp,” **12:211** [CC 376(3)]
Value, **2:4** [CC 4(2)]

STATEMENT OF ACCOUNT

False, **13:60** [CC 400]

STATEMENT OF ACCUSED

At preliminary, **23:40, 23:44**
[CC 541, 542]
publication, **23:46, 23:47** [CC
542(2), (3)]
use in evidence, **27:238** [CC
657]
Inspection, **27:85** [CC 603]
Young person, **42:13, 42:168**
[YCJA 10(4), 146]

STATUTES

See also **INTERPRETATION,**
JUDICIAL NOTICE,
YOUTH CRIMINAL
JUSTICE

Application
common law, **2:22** [CC 8(3)]
Criminal Code
Northwest Territories, **2:19**
[CC 8(1)(a)]
Yukon, **2:19** [CC 8(1)(b)]
effect of business records pro-
visions, **40:91** [CEA
30(1)]
Identification of Criminals
Act, **42:133** [YCJA
113(1)]

STATUTES—Cont’d

Application—Cont’d
law of England, **2:21** [CC
8(2)]
offences under more than one
Act, **2:32** [CC 12]
pre-Confederation statutes
offences abolished, **2:23**
[CC 9(c)]
Construction
cross-references, **1:47** [CC 3]
expressions taken from other
Acts, **2:6** [CC 4(4)]
Disobeying statute, **2:38, 6:28**
[CC 15, 126]
Evidence
Queen’s Printer copies as evi-
dence, **40:71, 40:72,**
40:73, 40:74 [CEA 19,
20(c), 21(b), 22(1)(b)]
Proclamation
order to prohibit drilling, **3:37**
[CC 70]
proof, **40:73, 40:74** [CEA 21,
22]
Imperial proclamation,
40:72 [CEA 20]
riot proclamation, **3:33, 3:34**
[CC 67, 68]
Regulation
judicial notice, **37:21** [CC
781(2)]
proof, **40:73, 40:74** [CEA 21,
22]
service of sentence according
to regulations, **34:84** [CC
732(1)]

STATUTORY DECLARATION

See **AFFIDAVIT**

STAY OF PROCEEDINGS

By Attorney General, **27:15** [CC
579(1)]
recommencement, **27:15** [CC
579(2)]

STAY OF PROCEEDINGS

—Cont'd

- Permanently unfit accused,
against
 - appeal from stay, **28:92** [CC **672.852**]
 - assessment order on inquiry,
28:91 [CC **672.851(5)**]
 - effect of stay, **28:91** [CC **672.851(9)**]
 - inquiry by court re, **28:91** [CC **672.851(1)**]
 - notice to accused of recommendation, **28:91** [CC **672.851(2)**]
 - order by court, **28:91** [CC **672.851(7), (8)**]
 - recommendation by Review Board, **28:91** [CC **672.851(1)**]
- Stay of judgment
 - not stayed for defect in jury process, **27:277** [CC **670**]
- Stay pending appeal
 - payment of fine, **29:49** [CC **683(5)**]
 - prohibition order, **10:216** [CC **261**]
 - recognizance, **29:42, 29:51** [CC **683(5.1), (7)**]
 - re-sentencing and, **29:51** [CC **683(7)**]
 - revocation of stay, **29:65** [CC **686(6)**]
 - undertaking, **29:42, 29:51** [CC **683(5.1), (7)**]
- Summary conviction proceedings, **27:15, 38:23** [CC **579(1), 795**]

STOCKS AND SHARES

See SECURITIES

STOLEN GOODS

- See also POSSESSION, PROPERTY OBTAINED BY CRIME
- Bringing into Canada, **12:160** [CC **357**]
- Taking reward for recovery, **6:77** [CC **142**]

STREET RACING

- See CRIMINAL NEGLIGENCE, BODILY HARM, DEATH, MOTOR VEHICLES, PROHIBITION ORDER

STUPEFYING DRUG

- To aid commission of offence, **10:127** [CC **246**]

SUBPOENA

- See also WITNESS
- Contents, **31:9** [CC **700**]
- Issuance, **31:2, 31:6** [CC **698, 699**]
- Service, **31:12** [CC **701**]
- Territorial effect, **31:14** [CC **702**]
- Video links, **31:11** [CC **700.1**]

SUICIDE

- Counselling or aiding, **10:101** [CC **241**]
- consent not affecting liability, **2:36** [CC **14**]

SUMMARY CONVICTION PROCEEDINGS

- Adjournment, **38:48, 38:49** [CC **803(1), (2)**]
- Appeal, See APPEAL (SUMMARY CONVICTIONS)
- Application of Code provisions, **38:3, 38:23** [CC **786(1), 795**]

SUMMARY CONVICTION

PROCEEDINGS—Cont’d

- Conviction, **38:51 [CC 804]**
 - memorandum, **38:55 [CC 806(1)]**
 - warrant of committal, **38:54 [CC 806(2)]**
- Costs, **38:60 [CC 809(1)]**
- Evidence
 - examination of witnesses, **38:42, 38:43 [CC 802(2), (3)]**
 - taking of evidence, **38:33 [CC 801(2)]**
- Fees and allowances, **38:142 [CC 840]**
- Information
 - amendment
 - dismissal, **38:27, 38:47, 38:51 [CC 799, 803(4), 804]**
 - order and certificate, **38:57 [CC 808]**
 - defined, **38:1 [CC 785]**
 - form, **38:11, 38:13 [CC 788(1), 789]**
 - negating exceptions, **38:22 [CC 794(1)]**
 - reference to previous conviction, **38:15 [CC 789(2)]**
 - separate trial of counts, **27:54, 38:23 [CC 591(3)(a), 795]**
 - sufficiency of counts, **27:21, 27:36, 38:23 [CC 581, 583, 795]**
- Jurisdiction
 - one justice may act, **38:12 [CC 788(2)]**
 - territorial jurisdiction, **38:25 [CC 798]**
 - two or more justices, **38:18 [CC 790(2)]**

SUMMARY CONVICTION

PROCEEDINGS—Cont’d

- Limitation on proceedings, **38:4 [CC 786(2)]**
- Previous conviction
 - reference in information, **38:15 [CC 789(2)]**
- “Proceedings,” **38:1 [CC 785]**
- Punishment, **38:7 [CC 787]**
 - costs, **38:59 [CC 809]**
 - joint offenders
 - disposal of penalties, **38:56 [CC 807]**
 - payment of fine not waiver of appeal, **38:101 [CC 820(1)]**
- “Sentence,” **38:1 [CC 785]**
- “Summary conviction court,” **38:1 [CC 785]**
- Trial procedure, **38:23 [CC 795]**
 - adjournment, **38:47 [CC 803]**
 - adjudication, **38:51 [CC 804]**
 - appearance by defendant
 - counsel or agent, **27:205, 27:208, 38:30, 38:46, (3) [CC 650.01, 650.02, 800(2), 802.1, (3)]**
 - non-appearance, **38:49, 38:50 [CC 803(2), (3)]**
 - technological appearance, **27:208 [CC 650.02]**
 - trial proceedings, **27:205, 27:208, 38:29, 38:46 [CC 650.01, 650.02, 800(1), 802.1]**
- appearance by prosecutor
 - dismissal or adjournment on non-appearance, **38:27, 38:47 [CC 799, 803(4)]**
 - technological appearance, **27:208 [CC 650.02]**
 - trial proceeding, **27:208, 38:29 [CC 650.02, 800(1)]**

SUMMARY CONVICTION

PROCEEDINGS—Cont'd

Trial procedure, **38:23** [CC 795]

—Cont'd

arraignment, **38:32** [CC 801(1)]

conviction, **38:51** [CC 804]

memorandum, **38:55** [CC 806(1)]

warrant of committal, **38:54** [CC 806(2)]

dismissal of information, **38:27, 38:47, 38:51** [CC 799, 803(4), 804]

order and certificate, **38:57** [CC 808]

examination of witnesses, **38:42, 38:43** [CC 802(2), (3)]

ex parte trial, **38:49, 38:50** [CC 803(2), (3)]

full answer and defence, **38:41** [CC 802(1)]

new trial
interim release, **38:106** [CC 822(3)]

venue, **38:105** [CC 822(2)]

separate trial of counts, **27:54** [CC 591(3)(a)]

Warrant of committal, **38:54** [CC 806(2), (3)]

SUMMONS

Appearance of accused other than by designated counsel, requiring, **27:205** [CC 650.01(4)]

Effect after direct indictment, **21:104** [CC 523(1.2)]

Failure to appear, **6:82, 21:70** [CC 145, 512.1]

summary conviction proceedings, **38:49, 38:50** [CC 803(2), (3)]

SUMMONS—Cont'd

Form and content, **21:60, 21:63, 21:59** [CC 509(1), (4), (5)]

Irregularity not affecting validity, **23:74** [CC 546]

adjournment, **23:76** [CC 547]

Issuance

after laying of information, **21:45, 21:52, 21:59** [CC 507, 507.1, 509]

on holiday, **2:62** [CC 20]

power of one justice, **38:10** [CC 788(2)(b)]

private prosecution, in, **21:52** [CC 507.1]

upon failure to appear after adjournment, **20:4** [CC 485]

Person charged, to, **39:31** [CC Form 6]

Service

by peace officer, **21:61** [CC 509(2)]

on designated counsel of record, **27:205** [CC 650.01]

on organization, **31:17** [CC 703.2]

Signing in blank, **21:50, 21:52** [CC 507(5), 507.1(8)]

Summons to show cause in seizure of obscene matter, **7:63** [CC 164(2)]

Time in force, **21:104, 34:116** [CC 523, 736(2)]

Where jurisdiction lost, **20:4** [CC 485(2)]

SUNDAY

Service on, **2:62** [CC 20]

Taking of jury verdict, **27:234** [CC 654]

SUPERIOR COURT OF CRIMINAL JURISDICTION

Defined, **1:3** [CC 2]

**SUPERIOR COURT OF
CRIMINAL**

JURISDICTION—Cont'd
Jurisdiction over offences, **19:1, 19:2 [CC 468, 469]**
Power to make rules, **19:36 [CC 482(1)]**

SURETIES TO KEEP PEACE

Breach of recognizance, **38:81 [CC 811]**
Criminal organization offence feared, **38:67 [CC 810.01]**
Damage feared, **38:61 [CC 810]**
Forms, **CC Forms 23, 32 [CC Forms 23, 32]**
Injury feared, **38:61 [CC 810]**
Intimidation of justice system participants feared, **38:67 [CC 810.01]**
Serious personal injury offence feared, **38:69 [CC 810.02]**
Sexual offence feared, **38:70 [CC 810.1]**
Terrorism offence feared, **38:68 [CC 810.011]**
Terrorist activity feared, **4:40 [CC 83.3]**
Young persons, against, **42:17, 42:23 [YCJA 14(4), 20(2)]**

SURETY

See also **RECOGNIZANCE**
Declaration, **39:39 [CC Form 12]**
Indemnification
by surety, **6:67 [CC 139(1)(b)]**
of surety, **6:67 [CC 139(1)(a)]**
Render of accused, **36:6, 36:7 [CC 766, 767]**
Rights of, **36:10 [CC 768]**
Substitution of, **36:9 [CC 767.1]**

SURGICAL OPERATION

See also **PHYSICIAN**

SURGICAL OPERATION

—Cont'd

Duty of knowledge, skill and care, **10:7 [CC 216]**
Surgeon protected, **2:132 [CC 45]**

SURVEYOR

Interference with boundary mark, **14:59 [CC 443(2)]**

**TELECOMMUNICATION
SERVICE**

See also **RADIO**
Device to obtain use without payment, **12:41 [CC 327]**
Equipment exempt from seizure, **9:9 [CC 199(6)]**
Means of telecommunication, **2:10 [CC 4(8)]**
Theft of service, **12:39 [CC 326(1)]**

TELEGRAPH OR TELEGRAM

Equipment exempt from seizure, **9:9 [CC 199(6)]**
False message, **12:206 [CC 372(1)]**
Messages facilitate betting, **9:10, 9:11 [CC 199(1), (2)]**

TELEPHONE

Equipment exempt from seizure, **9:9 [CC 199(6)]**
False communication, **12:206 [CC 372(1)]**
Harassing communications, **12:205 [CC 372(3)]**
Indecent communications, **12:205 [CC 372(2)]**
Messages to facilitate betting, **9:20 [CC 202(1)(i)]**

TELEWARRANTS

See also **SEARCH AND SEIZURE**

TELEWARRANTS—Cont'd

Generally, **20:110 [CC 487.1(1) to (11)]**

Means of telecommunication,
21:126 [CC 529.5]

TENANT IN COMMON

Theft, **12:45 [CC 328(d)]**

TERRITORIAL DIVISION

Offences deemed committed in,
19:14 [CC 476]

Offences in unorganized territory,
19:30 [CC 480(1)]

Provisional districts or new divisions,
19:30 [CC 480(2)]

“Territorial division,” **1:3 [CC 2]**

TERRITORIAL JURISDICTION

See JURISDICTION

TERRORISM

See also TERRORIST FINANCING, TERRORIST GROUP

Annual reports

arrest warrants, re, **4:41 [CC 83.31(4)]**

investigative hearings, re, **4:41 [CC 83.31(4)]**

preventive arrests without warrant, re, **4:41 [CC 83.31(2) to (4)]**

Arrest, **4:39 [CC 83.29]**

see also preventive arrest, **83.3**

Bail

generally, see JUDICIAL
INTERIM RELEASE

additional conditions, **21:75 [CC 515(4.2), (4.3)(a)]**

condition prohibiting possession of firearms, **21:75 [CC 515(4.1)(a.1)]**

reverse onus, **21:75 [CC 515(6)(a)(iii)]**

TERRORISM—Cont'd

Concealing terrorist

disclosure of income tax information for investigation of, **17:36 [CC 462.48(1.1)]**

DNA order on conviction or discharge, **20:77, 20:81 [CC 487.04, 487.051]**

offence, **4:31 [CC 83.23]**

offence outside Canada, **2:16 [CC 7(3.74)]**

sentences served consecutively, **4:35 [CC 83.26]**

Electronic surveillance

Generally, see INTERCEPTION OF PRIVATE COMMUNICATIONS

authorization

standard for issuance, relaxed, **8:20, 8:26 [CC 185(1.1), 186(1.1)]**

time limitation, extended, **8:26 [CC 186(1.1)]**

eligible offences, **8:1 [CC 183]**

subject notification period, extended, **8:63 [CC 196(5)]**

Facilitating terrorist activity

disclosure of income tax information for investigation of, **17:36 [CC 462.48(1.1)]**

DNA order on conviction or discharge, **20:77, 20:81 [CC 487.04, 487.051]**

“facilitation,” **4:20 [CC 83.19(2)]**

leaving Canada to facilitate, **4:21 [CC 83.191]**

offence, **4:20 [CC 83.19(1)]**

TERRORISM—Cont’d

- Facilitating terrorist activity
 - Cont’d
 - offence outside Canada, **2:16**, **4:21** [CC 7(3.74), **83.191**]
 - sentences served
 - consecutively, **4:35** [CC **83.26**]
 - “terrorist activity,” **4:1** [CC **83.01(1) to (1.2)**]
- Harbouring terrorist
 - disclosure of income tax information for investigation of, **17:36** [CC **462.48(1.1)**]
 - DNA order on conviction or discharge, **20:77**, **20:81** [CC **487.04**, **487.051**]
 - likely terrorist, **4:31** [CC **83.23(2)**]
 - offence, **4:31** [CC **83.23**]
 - offence outside Canada, **2:16** [CC 7(3.74)]
 - sentences served
 - consecutively, **4:35** [CC **83.26**]
- Hoax regarding terrorist activity, **4:32** [CC **83.231**]
- Instructing to carry out terrorist activity
 - disclosure of income tax information for investigation of, **17:36** [CC **462.48(1.1)**]
 - offence, **4:27** [CC **83.22(1)**]
 - proof, Crown burden, **4:27** [CC **83.22(2)**]
 - sentences served
 - consecutively, **4:35** [CC **83.26**]
 - “terrorist activity,” **4:1** [CC **83.01(1) to (1.2)**]
- Investigative hearing
 - annual reports re operation of

TERRORISM—Cont’d

- Investigative hearing—Cont’d
 - provisions, **4:41** [CC **83.31(4)**]
 - arrest warrant, **4:39** [CC **83.29**]
 - consent of Attorney General required, **4:37** [CC **83.28(3)**]
 - forum, **4:38** [CC **83.28(1)**]
 - judge to rule on objections, **4:37** [CC **83.28(8)**]
 - order for custody of thing, **4:37** [CC **83.28(12)**]
 - order for gathering evidence, **4:37** [CC **83.28(2), (4) to (7)**]
 - arrest warrant, **4:39** [CC **83.29**]
 - compliance obligations, **4:37** [CC **83.28(8), (10)**]
 - contents, **4:37** [CC **83.28(5)**]
 - execution, **4:37** [CC **83.28(6)**]
 - legal rights
 - counsel, **4:37** [CC **83.28(11)**]
 - self-crimination protection, **4:37** [CC **83.28(10)**]
 - making of order, **4:37** [CC **83.28(4)**]
 - variation, **4:37** [CC **83.28(7)**]
 - right to counsel, **4:37** [CC **83.28(11)**]
 - sunset clauses, **4:42** [CC **83.32**]
 - testimonial protections, **4:37** [CC **83.28(10)**]
- Offences outside Canada, **2:16** [CC 7(3.74)]

TERRORISM—Cont'd

- Parole, power of court to delay for offence, **34:162 (1.2)** [CC 743.6 (1.2)]
- Peace bonds
 - See also RECOGNIZANCES, PREVENTIVE ARREST
 - annual reports re operation of provisions, **4:41** [CC 83.31(2) to (4)]
 - opinions, **4:41** [CC 83.31(3.1)]
 - authority to make, without warrant, **4:40** [CC 83.3(4)]
 - duty of peace officer, **4:40** [CC 83.3(5)]
 - sunset clauses, **4:42, 4:43** [CC 83.32, 83.33(2)]
 - taking before judge adjournment for
 - recognizance hearing, **4:40** [CC 83.3(7)]
 - order of detention or release, **4:40** [CC 83.3(7)]
 - timing of, **4:40** [CC 83.3(6)]
 - transitional provisions, **4:43** [CC 83.33(2)]
- Proceedings
 - consent of Attorney General required, **4:33, 4:37** [CC 83.24, 83.28(3)]
 - investigative hearing, **4:37, 4:39** [CC 83.28, 83.29]
 - jurisdiction, **4:34** [CC 83.25]
 - preventive arrest, on, **4:40** [CC 83.3(6) to (7)]
 - recognizance with conditions, on application for, **4:40** [CC 83.3(8)]
- Public Safety Minister, **4:3.05 to 4:3.95** [CC 83.031 to 83.0392]

TERRORISM—Cont'd

- Punishment
 - additional, for “terrorist activity,” **4:36** [CC 83.27]
 - notice to offender, **4:36** [CC 83.27(2)]
 - aggravating circumstance, **34:19** [CC 718.2(a)(v)]
 - sentences served consecutively, **4:35** [CC 83.26]
 - sentencing principles, **34:19** [CC 718.2(a)(v)]
- Recognizances
 - terrorism offence, to prevent adjudication, **38:67** [CC 810.01(3)]
 - appearance, **38:67** [CC 810.01(2)]
 - breach of, **38:81** [CC 811]
 - conditions
 - firearms, **38:67** [CC 810.01(5) to (5.2)]
 - in recognizance, **38:67** [CC 810.01(4.1)]
 - reasons, where not imposed, **38:67** [CC 810.01(5.2)]
 - surrender, etc., **38:67** [CC 810.01(5.1)]
 - variance, **38:67** [CC 810.01(6)]
 - consent of Attorney General required to lay information, **38:67** [CC 810.01(1)]
 - duration extended, **38:67** [CC 810.01(3.1)]
 - forms, **38:67, Forms 23, 2:113** [CC 810.01(7), Forms 23, 32]
 - hearing before judge, **38:67** [CC 810.01(3)]
 - procedure, **38:67** [CC 810.01(7)]

TERRORISM—Cont’d

- Recognizances—Cont’d
 - terrorism offence, to prevent —Cont’d
 - laying information, **38:67** [CC **810.01(1)**]
 - order for detention or release with conditions, **38:67** [CC **810.01(3)**]
 - procedure, **38:67** [CC **810.01(7)**]
 - refusal to enter, effect of, **38:67** [CC **810.01(4)**]
 - variance, **38:67** [CC **810.01(6)**]
 - terrorist activity, to prevent
 - annual report re operation of provisions, **4:41** [CC **83.31(2) to (4)**]
 - opinions, **4:41** [CC **83.31(3.1)**]
 - appearance, **4:40** [CC **83.3(3)**]
 - breach of, **38:81** [CC **811**]
 - conditions
 - firearms, **4:40** [CC **83.3(10) to (12)**]
 - reasons, where not imposed, **4:40** [CC **83.3(12)**]
 - surrender, etc., **4:40** [CC **83.3(11)**]
 - variance, **4:40** [CC **83.3(13)**]
 - consent of Attorney General
 - required to lay information, **4:40** [CC **83.3(1)**]
 - forms, **4:40, 39:51, 2:113** [CC **83.3(14)**, Form **23, 32**]

TERRORISM—Cont’d

- Recognizances—Cont’d
 - terrorist activity, to prevent —Cont’d
 - hearing before judge, **4:40** [CC **83.3(8)**]
 - procedure, **4:40** [CC **83.3(14)**]
 - laying information, **4:40** [CC **83.3(2)**]
 - order for detention or release with conditions, **4:40** [CC **83.3(8)**]
 - procedure, **4:40** [CC **83.3(14)**]
 - refusal to enter, effect of, **4:40** [CC **83.3(9)**]
 - variance, **4:40** [CC **83.3(13)**]
 - Sunset clauses, **4:42, 4:43** [CC **83.32, 83.33**]
 - “Terrorism offence,” **1:3** [CC **2**]
 - Terrorist activity
 - additional punishment for, **4:36** [CC **83.27**]
 - arrest to prevent, **4:40** [CC **83.3(4)**]
 - concealing person likely to carry out, **4:31** [CC **83.23(2)**]
 - concealing person who has carried out, **4:31** [CC **83.23(1)**]
 - defined, **4:1** [CC **83.01(1) to (1.2)**]
 - facilitating, **4:20, 4:21** [CC **83.19, 83.191**]
 - harbouring person likely to carry out, **4:31** [CC **83.23(2)**]
 - harbouring person who has carried out, **4:31** [CC **83.23(1)**]

TERRORISM—Cont'd

- Terrorist activity—Cont'd
 - instructing to carry out, **4:27** [CC 83.22]
 - leaving Canada to commit, **4:21** [CC 83.191]
 - leaving Canada to facilitate, **4:25** [CC 83.202]
 - murder during deemed first degree, **10:67** [CC 231(6.01)]
 - offences outside Canada, **2:16**, **4:21**, **4:25** [CC 7(3.74), 83.191, 83.202]
 - recognizance to prevent, **4:40** [CC 83.3]
- Witness protection in cases involving
 - exclusion of public, **20:8** [CC 486]
 - limits on cross-examination by accused, **20:17** [CC 486.3(2) to (5)]
 - obstructed view testimony, **20:16** [CC 486.2(2) to (6)]
 - publication ban, **20:22** [CC 486.5]
 - recognizances, **4:40**, **38:67** [CC 83.3, 810.01]
 - testimony outside courtroom, **20:16** [CC 486.2(2) to (6)]

TERRORIST FINANCING

- Collecting/making available/ providing property for terrorist purposes
 - disclosure of income tax information for investigation of, **17:36** [CC 462.48(1.1)]
 - offence, **4:3** [CC 83.03]
 - offence outside Canada, **2:16** [CC 7(3.74)]

TERRORIST FINANCING

—Cont'd

- Collecting/making available/ providing property for terrorist purposes—Cont'd
 - sentences served consecutively, **4:35** [CC 83.26]
- Collecting/ providing property or services for certain activities
 - disclosure of income tax information for investigation of, **17:36** [CC 462.48(1.1)]
 - offence, **4:2** [CC 83.02]
 - offence committed outside Canada, **2:16** [CC 7(3.73)]
 - sentences served consecutively, **4:35** [CC 83.26]
- Disclosure of income tax information for investigation of, **17:36** [CC 462.48(1.1)]
- Inviting person to provide, financial or related services available for terrorist purposes
 - disclosure of income tax information for investigation of, **17:36** [CC 462.48(1.1)]
 - offence, **4:3** [CC 83.03]
 - offence outside Canada, **2:16** [CC 7(3.74)]
 - sentences served consecutively, **4:35** [CC 83.26]
- Inviting person to provide property for terrorist purposes
 - disclosure of income tax information for investigation of, **17:36** [CC 462.48(1.1)]

TERRORIST FINANCING

—Cont'd

- Inviting person to provide property for terrorist purposes
 - Cont'd
 - offence, **4:3 [CC 83.03]**
 - offence outside Canada, **2:16 [CC 7(3.74)]**
 - sentences served
 - consecutively, **4:35 [CC 83.26]**
- Making financial or related services available for terrorist purposes
 - disclosure of income tax information for investigation of, **17:36 [CC 462.48(1.1)]**
 - offence, **4:3 [CC 83.03]**
 - offence outside Canada, **2:16 [CC 7(3.74)]**
 - sentences served
 - consecutively, **4:35 [CC 83.26]**
- Possessing property for terrorist purposes
 - disclosure of income tax information for investigation of, **17:36 [CC 462.48(1.1)]**
 - offence, **4:4 [CC 83.04(b)]**
 - offence outside Canada, **2:16 [CC 7(3.74)]**
 - sentences served
 - consecutively, **4:35 [CC 83.26]**
- Using property for terrorist purposes, **4:3, 4:4 [CC 83.03(2), 83.04(a)]**
 - disclosure of income tax information for investigation of, **17:36 [CC 462.48(1.1)]**
 - offence, **4:4 [CC 83.04(b)]**

TERRORIST FINANCING

—Cont'd

- Using property for terrorist purposes, **4:3, 4:4 [CC 83.03(2), 83.04(a)]**
 - Cont'd
 - offence outside Canada, **2:16 [CC 7(3.74)]**
 - sentences served
 - consecutively, **4:35 [CC 83.26]**
- Witness protection in cases involving
 - exclusion of public, **20:8 [CC 486]**
 - limits on cross-examination by accused, **20:17 [CC 486.3(2) to (5)]**
 - obstructed view testimony, **20:16 [CC 486.2(2) to (6)]**
 - publication ban, **20:22 [CC 486.5]**
 - testimony outside courtroom, **20:16 [CC 486.2(2) to (6)]**

TERRORIST GROUP

- See also **TERRORISM**
- Commission of offence for
 - bail, generally, see **Judicial Interim Release**
 - additional conditions, **21:75 [CC 515(4.2), (4.3)(a)]**
 - condition prohibiting possession of firearms, **21:75 [CC 515(4.1)(a.1)]**
 - reverse onus, **21:75 [CC 515(6)(a)(iii)]**
- Disclosure of income tax information for investigation of, **17:36 [CC 462.48(1.1)]**

TERRORIST GROUP—Cont'd

- Commission of offence for
—Cont'd
 - DNA order on conviction or discharge, **20:77, 20:81** [CC 487.04, 487.051]
 - offence, **4:22** [CC 83.2]
 - offence outside Canada, **2:16** [CC 7(3.74)]
 - parole, power of court to delay for offence, **34:162** [CC 743.6(1.2)]
 - sentences served consecutively, **4:35** [CC 83.26]
- Defined, **4:1** [CC 83.01(1)]
- Disclosure of income tax information for investigation of, **17:36** [CC 462.48(1.1)]
- Instructing to carry out activity for
 - bail, generally see Judicial Interim Release
 - additional conditions, **21:75** [CC 515(4.2), (4.3)(a)]
 - condition prohibiting possession of firearms, **21:75** [CC 515(4.1)(a.1)]
 - reverse onus, **21:75** [CC 515(6)(a)(iii)]
- disclosure of income tax information for investigation of, **17:36** [CC 462.48(1.1)]
- DNA order on conviction or discharge, **20:77, 20:81** [CC 487.04, 487.051]
- offence, **4:26** [CC 83.21(1)]
- offence outside Canada, **2:16** [CC 7(3.74)]
- parole, power of court to delay for offence, **34:162** [CC 743.6(1.2)]

TERRORIST GROUP—Cont'd

- Instructing to carry out activity for—Cont'd
 - proof, Crown burden, **4:26** [CC 83.21(2)]
 - sentences served consecutively, **4:35** [CC 83.26]
- Leaving Canada to commit offence for, **4:24** [CC 83.201]
- Leaving Canada to participate in activity of, **4:19** [CC 83.181]
- List of entities
 - application for removal
 - application for judicial review of refusal
 - duties of court, **4:5** [CC 83.05(6)]
 - evidence admissible on application, **4:5** [CC 83.05(6.1)]
 - greater certainty, **4:6** [CC 83.06(2)]
 - procedural rights of applicant, **4:5, 4:6** [CC 83.05(6), 83.06(3)]
 - publication of notice of final order, **4:5** [CC 83.05(7)]
 - return of information, **4:6** [CC 83.06(1)]
 - right to apply, **4:5** [CC 83.05(5)]
- application to Minister, **4:5, 4:7** [CC 83.05(2), 83.07]
- deemed decision where none made, **4:5** [CC 83.05(3)]
- judicial review of decision, **4:4** [CC 83.04(5) to (7), (11)]

TERRORIST GROUP—Cont’d

- List of entities—Cont’d
 - application for removal
 - Cont’d
 - application to Minister, **4:5**, **4:7** [CC 83.05(2), **83.07**]—Cont’d
 - mistaken identity, in case of, **4:7** [CC 83.07]
 - notice of decision, **4:5** [CC 83.05(4)]
 - right to reapply, **4:4** [CC 83.04(8)]
 - establishment of, **4:5** [CC 83.05(1) to (1.1)]
 - recommendation by Minister, **4:5** [CC 83.05(1.1)]
 - regulations re, **4:5** [CC 83.05(1)]
- Participation in activity of
 - bail, generally, see Judicial Interim Release
 - additional conditions, **21:75** [CC 515(4.2), (4.3)(a)]
 - condition prohibiting possession of firearms, **21:75** [CC 515(4.1)(a.1)]
 - reverse onus, **21:75** [CC 515(6)(a)(iii)]
 - criteria/factors to determine, **4:18** [CC 83.18(4)]
 - definitions
 - “participating or contributing,” **4:18** [CC 83.18(3) to (4)]
 - disclosure of income tax information for investigation of, **17:36** [CC 462.48(1.1)]
 - DNA order on conviction or discharge, **20:77**, **20:81** [CC 487.04, 487.051]
 - leaving Canada to participate, **4:19** [CC 83.181]

TERRORIST GROUP—Cont’d

- Participation in activity of
 - Cont’d
 - offence, **4:18** [CC 83.18(1)]
 - offence outside Canada, **2:16**, **4:19** [CC 7(3.74), **83.181**]
 - parole, power of court to delay for offence, **34:162** [CC 743.6(1.2)]
 - proof, Crown burden, **4:18** [CC 83.18(2)]
 - sentences served consecutively, **4:35** [CC 83.26]
- Property
 - audit
 - civil and criminal immunity for reporting, **4:11** [CC 83.11(3)]
 - duty to conduct, **4:11** [CC 83.11(1)]
 - exemption regulations, power to make, **4:11** [CC 83.11(4)]
 - offence relating to, **4:12**, **4:33**, **4:34** [CC 83.12, **83.24**, **83.25**]
 - reporting requirements, monthly, **4:11** [CC 83.11(2), (4)]
 - exclusions, **4:11** [CC 83.11(4)]
 - subject entities, **4:11** [CC 83.11(1)]
 - disclosure
 - civil immunity for disclosure, **4:8** [CC 83.08]
 - duty to disclose, **4:10** [CC 83.1(1)]
 - offence relating to, **4:12**, **4:33**, **4:34** [CC 83.12, **83.24**, **83.25**]

TERRORIST GROUP—Cont'd

Property—Cont'd

forfeiture

appeal from order relating
to

interim preservation
rights, **4:16 [CC
83.16(1)]**

order refusing to grant,
4:16 [CC 83.16(2)]

application for order of,
4:14 [CC 83.14]

contents of, **4:14 [CC
83.14(2)]**

granting of order, **4:14,
4:16, 4:17 [CC
83.14(5), 83.16(2),
83.17(2)]**

notice of, **4:14 [CC
83.14(4), (7)]**

refusing of order, **4:14
[CC 83.14(6)]**

respondents, **4:14 [CC
83.14(3)]**

third party interests, **4:14
[CC 83.14(8) to
(11)]**

disposition of property, **4:15
[CC 83.15]**

dwelling house, **4:14 [CC
83.14(9)]**

other provisions unaffected,
4:17 [CC 83.17(1)]

restitution to victims of
crime, priority for,
4:17 [CC 83.17(2)]

setting aside order, **4:14,
4:17 [CC 83.14(10) to
to (11), 83.17(2)]**

use of proceeds, **4:14 [CC
83.14(5.1) to (5.2)]**

regulations re, **4:14 [CC
83.14(5.2)]**

restitution, **4:17 [CC
83.17(2)]**

TERRORIST GROUP—Cont'd

Property—Cont'd

forfeiture—Cont'd

varying order, **4:14 [CC
83.14(10) to to (11)]**

freezing

civil immunity for compli-
ance, **4:8 [CC
83.08(2)]**

equities maintained vis a vis
frozen property, **4:9
[CC 83.09(3)]**

exemptions from prohibi-
tions, **4:9 [CC 83.09]**

ministerial authorization of
activity otherwise
prohibited, **4:9 [CC
83.09(2), (4)]**

offence relating to, **4:12,
4:33, 4:34 [CC 83.12,
83.24, 83.25]**

prohibitions

dealing, **4:8 [CC
83.08(1)(a)]**

exemptions from, **4:9
[CC 83.09]**

provision of services, **4:8
[CC 83.08(1)(c)]**

transactions, **4:8 [CC
83.08(1)(b)]**

management of restrained/ seized property

appointment of manager,
**4:13 [CC 83.13(2) to
(3)]**

appointment of Minister to
manage, **4:13 [CC
83.13(3)]**

destruction of property pur-
suant to, **4:13 [CC
83.13(4) to (8)]**

duration of order, **4:13 [CC
83.13(9)]**

power of court to order,

TERRORIST GROUP—Cont'd

- Property—Cont'd
 - management of restrained/
 - seized property—Cont'd
 - 4:13 [CC 83.13(2) to (3), (8)]**
 - power to manage, **4:13 [CC 83.13(2), (4) to (5)]**
 - variation of order, **4:13 [CC 83.13(12)]**
 - restraint and seizure
 - application for restraining
 - order or warrant, **4:13 [CC 83.13]**
 - contents of, **4:13 [CC 83.13(1.1)]**
 - management order pending
 - restraint/seizure, **4:13 [CC 83.13(2) to (10)]**
 - powers of court, **4:13 [CC 83.13(1) to (3), (8)]**
 - procedure, **4:13 [CC 83.13(11) to (12)]**
 - disposition of property, **4:15 [CC 83.15]**
 - Witness protection in cases
 - involving
 - exclusion of public, **20:8 [CC 486]**
 - limits on cross-examination by
 - accused, **20:17 [CC 486.3(2) to (5)]**
 - obstructed view testimony,
 - 20:16 [CC 486.2(4) to (6)]**
 - publication ban, **20:22 [CC 486.5]**
 - recognizances, **4:40, 38:67 [CC 83.3, 810.01]**
 - testimony outside courtroom,
 - 20:16 [CC 486.2(4) to (6)]**

**TESTAMENTARY
INSTRUMENT**

- Destruction, **12:72 [CC 340(b)]**
- Fraud, **13:4 [CC 380(1)(a)]**
- Mischief, **14:8 [CC 430(3)]**
- Obtaining by false pretence
 - punishment, **12:169 [CC 362(2)(a)]**
- Possession of property obtained
 - by crime, **12:137 [CC 354(1)]**
- “Testamentary instrument,” **1:3 [CC 2]**
- Theft, **12:4 [CC 322(1)]**
 - not in absolute jurisdiction of
 - provincial court judge, **25:2 [CC 553(a)]**
 - punishment, **12:58 [CC 334(a)]**

**THEATRICAL
PERFORMANCE**

- Immoral, indecent or obscene,
 - 7:68 [CC 167]**
- punishment, **7:77 [CC 169]**
- “Theatre,” **7:1 [CC 150]**

THEFT

- Agent pledging goods, **12:36 [CC 325]**
- Attorney committing theft,
 - 12:52, 12:53 [CC 331, 332]**
- Bailee stealing things under
 - seizure, **12:34 [CC 324]**
- Cattle, **12:69 [CC 338(1), (2)]**
- Credit card, **12:76 [CC 342(1)(a)]**
- Director or officer stealing from
 - company, **12:45 [CC 328(e)]**
- Electricity or gas, **12:38 [CC 326(1)(a)]**
- Elements of offence, **12:4 [CC 322(1)]**
- From mail, **12:157 [CC 356]**

THEFT—Cont'd

- Identity, See **IDENTITY THEFT AND IDENTITY FRAUD**
- Jurisdiction of provincial court, **25:2, 25:13 [CC 553, 555(2)]**
- Lessee stealing from reversioner, **12:45 [CC 328(C)]**
- Member stealing from society, **12:45 [CC 328(e)]**
- Misappropriation of funds, **12:53 [CC 332]**
- Motor vehicle, **12:57 [CC 333.1]**
- Ore or mineral specimen, **12:56 [CC 333]**
 - presumption from possession, **27:237 [CC 656]**
- Owner committing theft, **12:45 [CC 328(a)]**
- Oysters
 - indictment, **12:32 [CC 323(2)]**
 - presumption of ownership, **12:33 [CC 323(1)]**
- Partner committing theft, **12:45 [CC 328(d)]**
- Person required to account, **12:49 [CC 330(1)]**
- Possession of device for purpose of committing theft, **12:57.50 [CC 333.2]**
- Punishment, **12:58 [CC 334]**
 - not exceeding \$5,000, **12:58 [CC 334(b)]**
 - over \$5,000, **12:58 [CC 334(a)]**
- Robbery, **12:82 [CC 343]**
- “Steal,” **1:3 [CC 2]**
- Telecommunication service, **12:39 [CC 326(1)]**
- Tenant in common, **12:45 [CC 328(d)]**

THREATENING

- Extortion by threats, **12:93 [CC 346(1)]**

THREATENING—Cont'd

- Internationally protected person, **2:16, 13:109 [CC 7(3), 424]**
- Intimidation, **13:101 [CC 423(1)(b)]**
- Sureties to keep peace, **38:61 to 38:81, 42:17, 42:17 [CC 810 to 811, YCJA 14(2), 20(2)]**
- Threats of violence or injury to property, **13:101 [CC 423(1)(a)]**
- United Nations or associated personnel, outside Canada, **2:16, 13:110 [CC 7(3.71), 424.1]**
- Uttering threats, **10:226 [CC 264.1]**

TIED SALES

- Obscene matter, **7:67, 7:77 [CC 165, 169]**

TIMBER

- See **LUMBER**

TIME

- Holidays excluded, **40:85 [CEA 29(9)]**

TIME CLOCK

- Falsification of employment record, **13:57 [CC 398]**

TIPPING

- Generally, **13:25, 13:33 [CC 380.1, 382.1]**

TITLE

- See also **DOCUMENT OF TITLE**
- Fraudulent concealment, **13:37 [CC 385(1)]**
- Fraudulent registration, **13:38 [CC 386]**

TOBACCO

- Contraband
 - exceptions, **6:16 [CC 121.1(2) to (3)]**
 - offence re, **6:16 [CC 121.1(1)]**
 - punishment, **6:16 [CC 121.1(4)]**

TOKEN

- Advertising counterfeit, **15:27 [CC 460(1)(a)]**
- use of counterfeit, **15:14 [CC 454]**
- “Counterfeit token of value,” **15:1 [CC 448]**

TOLL

- Fraud in collection, **13:49 [CC 393]**

TORTURE

- Definitions, **10:254 [CC 269.1(2)]**
- Derivative evidence inadmissible, **10:254 [CC 269.1(4)]**
- Internationally protected person, outside Canada, **2:16 [CC 7(3)]**
- Offence, **10:254 [CC 269.1(1)]**
- “Superior orders” defence precluded, **10:254 [CC 269.1(3)]**
- United Nations or associated personnel, outside Canada, **2:16 [CC 7(3.71)]**

TRACKING WARRANT

- Sealing order for information to obtain, **20:115 [CC 487.3]**

TRADE DESCRIPTION

- False, **13:82 [CC 408]**
- forfeiture, **13:88 [CC 412(2)]**
- punishment, **13:88 [CC 412(1)]**

TRADEMARK

See also **DISTINGUISHING MARK**

Offences

- bottling under another’s mark, **13:85 [CC 410(b)]**
- defacing or removing, **13:85 [CC 410(a)]**
- forgery, **13:79, 13:80 [CC 406, 407]**
- instruments for forging, **13:84 [CC 409(1)]**
- passing off, **13:82 [CC 408(a)]**

Order of forfeiture, **13:88 [CC 412(2)]**

Punishment, **13:88 [CC 412(1)]**

TRADE NAME

Offences

- bottling under another’s name, **13:85 [CC 410(b)]**
- defacing or removing, **13:85 [CC 410(a)]**
- passing off, **13:82 [CC 408(a)]**

Order of forfeiture, **13:88 [CC 412(2)]**

Punishment, **13:88 [CC 412(1)]**

TRADE UNION

And conspiracy in restraint of trade, **18:21, 18:22 [CC 466(2), 467]**

Appearance, **23:29, 25:15, 27:115, 38:28 [CC 538, 556, 620, 800(3)]**

default, **25:15, 27:117, 27:118, 38:28 [CC 556(2), 622, 623, 800(3)]**

Criminal responsibility

duty of persons directing work, **10:12 [CC 217.1]**

“every one” includes, **1:3 [CC 2]**

TRADE UNION—Cont'd

Criminal responsibility—Cont'd
negligence offences, **2:77 [CC 22.1]**

other offences, **2:78 [CC 22.2]**

Discrimination and intimidation,
13:111 [CC 425]

Enforcement of judgment,
34:113 [CC 735]

Greater punishment where previous conviction, **34:66 [CC 727(4)]**

Notice of indictment, **27:116 [CC 621]**

“Organization” defined, **1:3 [CC 2]**

Party liability
negligence offences, **2:77 [CC 22.1]**

other offences, **2:77 [CC 22.1]**

Punishment, **34:33, 34:85, 34:113, 34:113 [CC 718.21, 732.1(3.1), 735, (3.2)]**

“Representative,” defined, **1:3 [CC 2]**

“Representative” defined, **1:3 [CC 2]**

Request for preliminary inquiry
failure to request, **25:15 [CC 556(3), (4)]**

“Senior officer,” defined, **1:3 [CC 2]**

“Senior officer” defined, **1:3 [CC 2]**

Sentencing
fines, **34:113 [CC 735]**
general considerations, **34:33 [CC 718.21]**

probation conditions, **34:85 [CC 732.1(3.1), (3.2)]**

Service of process on, **31:17 [CC 703.2]**

Trial and conviction, **27:118 [CC 623]**

TRAFFICKING, DRUGS

See also POSSESSION FOR
PURPOSE OF TRAFFICKING

Offence, **44:12 [CDA 5(1)]**

Punishment, **44:12 [CDA 5(3), (4)]**

TRAFFICKING, PERSONS

Consent, invalidity of, **10:320, 10:321 [CC 279.01(2), 279.011(2)]**

Documents, withholding or
destruction, **10:323 [CC 279.03]**

Exploitation, **10:325 [CC 279.04]**

factors, **10:325 [CC 279.04(2)]**

organ or tissue removal,
10:325 [CC 279.04(3)]

Material benefit, **10:322 [CC 279.02]**

Offence outside of Canada, **2:16 [CC 7(4.11)]**

Person under 18, **10:321 [CC 279.011]**

Simpliciter, **10:320 [CC 279.01]**

TRAFFICKING, PROPERTY OBTAINED BY CRIME

Offence, **12:153 [CC 355.2]**

Punishment, **12:156 [CC 355.5]**

TRANSFER OF CHARGES

Offence outside province, **19:27 [CC 478(3)]**

Offence within province, **19:29 [CC 479]**

Probation order, **34:123 [CC 739]**

TRANSPORTATION

Fraud in fare collection, **13:50, 13:49 [CC 393(1), (2)]**

TRANSPORTATION—Cont'd

- Fraudulently obtaining, **13:49**
[CC 393(3)]
- jurisdiction of provincial court
judge, **25:2** [CC
553(c)(viii)]
- Interfering with safety of
persons, **10:132** [CC 248]

**TRAPS LIKELY TO CAUSE
BODILY HARM**

- Aggravated offences
 - causing bodily harm, **10:131**,
10:129 [CC 247(2), (4)]
 - causing death, **10:129** [CC
247(5)]
 - offence-related place
 - causing bodily harm,
10:129 [CC 247(4)]
 - simpliciter, **10:129** [CC
247(3)]
- General/simpliciter offence,
10:130 [CC 247(1)]

TREASON

- See also HIGH TREASON
- Compulsion by threats, **2:50**
[CC 17]
- Corroboration, **3:3** [CC 47(3)]
- Delivery of trial documents,
27:87 [CC 604]
- Judicial review of parole ineligi-
bility, **34:184** [CC 745.6]
- Limitation period, **3:4** [CC
48(1)]
- Offence of treason, **3:1** [CC 46]
- Overt acts
 - act of conspiring, **3:1** [CC
46(4)]
 - evidence, **3:12** [CC 55]
 - statement in indictment,
27:25, **27:77** [CC 581(4),
601(9)]
 - treasonable words, **3:4** [CC
48]

TREASON—Cont'd

- Punishment, **3:3** [CC 47(2), (4)]
- Superior court jurisdiction, **19:1**,
(b), **19:1**, (d), **19:1**, (e),
19:2 [CC 468, (b), (d), (e),
469(a)(i)]

TREASURER OF PROVINCE

- Payment of penalties, **34:104**
[CC 734.4]

TREATY

- Proof of treaty, **40:73** [CEA 21]
- Imperial treaty, **40:72** [CEA
20]

TRESPASS

- At night, **7:112** [CC 177]
- Forcible detainer, **3:41** [CC
72(2)]
- Forcible entry, **3:42**, **3:43** [CC
72(1), 73]
- Sabotage, **3:9** [CC 52(2)(b)]
- evidence of overt acts, **3:12**
[CC 55]
- statement in indictment, **27:25**
[CC 581(4)]

TRIAL (INDICTMENT)

- See also SPECIFIC TOPICS
AND JURY
- Adjudication
 - reserved decision in trial
without jury, **27:174** [CC
645(4)]
- Appearance
 - accused, **27:199**, **27:200**,
27:205, **27:208** [CC
650(1) to (2), 650.01,
650.02]
 - designated counsel of record,
27:205, **27:208** [CC
650.01, 650.02]
 - prosecutor, **27:208** [CC
650.02]

TRIAL (INDICTMENT)

—Cont'd

Appearance—Cont'd
technological, **27:198, 27:208, 27:208 [CC 650(1), 650.02]**

By judge alone

application of Code provisions, **25:57 [CC 572]**
fixing time and place for trial, **25:22, 25:28 [CC 560, 562]**

judge as court of record, **25:21 [CC 559(1)]**

By provincial court judge

application of Code provisions, **25:57 [CC 572]**
fixing time and place for trial, **25:23, 25:25, 25:28 [CC 561(7), 561.1(a), 562]**

transmission of record, **25:53 [CC 570(3)]**

Continuation of proceedings, **27:273 [CC 669.2]**

Exclusion of public, **20:9 [CC 486(1)]**

Fair and public hearing, **41:63 [CA 11(d)]**

Full answer and defence, **27:201 [CC 650(3)]**

Independent and impartial tribunal, **41:63 [CA 11(d)]**

Jury, **41:63 [CA 11(f)]**

Military tribunal, **41:63 [CA 11(f)]**

Presence of accused, **27:199, 27:200, 27:205, 27:208 [CC 650(1) to (2), 650.01, 650.02]**

Presiding judge

death or inability to continue, **27:273 [CC 669.2]**

may differ from judge presiding over jury selection,

TRIAL (INDICTMENT)

—Cont'd

Presiding judge—Cont'd
27:127 [CC 626.1]

Reasonable time, **41:63 [CA 11(b)]**

Record

acquittal, **25:52 [CC 570(2)]**
conviction or order, **25:51 [CC 570(1)]**
of proceedings, **27:120, 27:121 [CC 624, 625]**

Summing up

by defence, **27:211 [CC 651(2)]**
by prosecutor, **27:212 [CC 651(1)]**

order of addressing jury, **27:211 [CC 651(3)]**
joint accused, **27:215 [CC 651(4)]**

Taking of evidence, **27:177 [CC 646]**

Warrant of committal, **25:50 [CC 570(5), (6)]**

Without jury

on consent, **19:8 [CC 473]**

TRIAL (SUMMARY CONVICTION)

See SUMMARY CONVICTION PROCEEDINGS

TRIAL DE NOVO

Appeal against sentence
power of court, **38:109 [CC 822(6)]**

Grounds for holding, **38:107 [CC 822(4)]**

Objections to conviction or order, **38:103 [CC 822(7)(b)]**

Objections to information or process, **38:103 [CC 822(7)(a)]**

TRIAL DE NOVO—Cont'd

Reading in evidence, **38:108**
[CC 822(5)]

TRUST

Breach of, **12:65** [CC 336]
By public officer, **6:17** [CC 122]
Misappropriation of funds, **12:53**
[CC 332]
Sexual exploitation by person in
position of, **7:15** [CC 153]
Theft by holder of power of
attorney, **12:52, 12:53** [CC
331, 332]
Theft by person required to
account, **12:48** [CC 330]
“Trustee,” **1:3** [CC 2]

TRUST COMPANY

See BANK

**UNAUTHORIZED
RECORDING OF A
MOVIE**

Generally, **14:22** [CC 432]

UNDERTAKING

See also JUDICIAL INTERIM
RELEASE
Contents of, **21:24** [CC 501]
Effect after remand to another
jurisdiction, **23:67** [CC
543(2)(b)]
Failure to appear, **6:82, 21:71**
[CC 145, 512.2]
Failure to comply with condi-
tions, **6:82** [CC 145]
Form, **39:36** [CC Form 10]
Giving on holiday, **2:62** [CC 20]
Release after arrest, **27:66** [CC
597(3)]
Release pending appeal or new
trial
arrest after release, **29:29** [CC
679(6)]

UNDERTAKING—Cont'd

Release pending appeal or new
trial—Cont'd
form of undertaking, **29:29**
[CC 679(9)]
Summary conviction appeal,
38:94, 38:96 [CC 816, 817]
Time in force, **21:105, 21:104**
[CC 523(1), (1.1)]
“Undertaking,” **39:37** [CC
Form 11]
Varying, **21:27** [CC 502]

**UNITED NATIONS
PERSONNEL**

Attack on accommodation,
premises or transport, **14:20**
[CC 431.1]
defence, **14:4** [CC 429(2)]
DNA order on conviction or
discharge, **20:77, 20:81**
[CC 487.04, 487.051]
Offences against, outside Can-
ada, **2:16** [CC 7(3.71), (5)
to (7)]
consent to prosecute, where
accused not citizen, **2:16**
[CC 7(7)]
Proof of status
certificate as evidence, **2:16**
[CC 7(10)]
Threatening, **13:110** [CC 424.1]

UNLAWFUL ASSEMBLY

Offence, **3:26, 3:25** [CC 63(1),
(2)]
Punishment **3:32** [CC 66]
where identity concealed, **3:32**
[CC 66(2)]
Riot, **3:27, 3:33 to 3:36** [CC 64,
67 to 69]

UNLAWFUL DRILLING

Generally, **3:37** [CC 70]

UNLAWFULLY AT LARGE

See also JUDICIAL INTERIM
RELEASE

Failure to attend court, **6:84,**
6:87, 6:90 to 6:93 [CC
145(2), (5), (8) to (11)]

Failure to comply, **6:85, 6:87,**
6:90, 6:92, 6:93 [CC
145(3), (5), (8), (10), (11)]

Without lawful excuse, **6:82 [CC**
145(1)(b)]

USED GOODS

Sale without disclosure, **13:87**
[CC 411]

forfeiture, **13:88 [CC 412(2)]**
punishment, **13:88 [CC**
412(1)]

USE OF FORCE

See DEFENCES (STATUTORY)

UTTERING

See also COUNTERFEITING,
CURRENCY OFFENCES,
FORGERY

Clipped coin, **15:17 [CC 455(b)]**

Counterfeit money, **15:10 [CC**
452(a)]

completion of counterfeit,
15:29 [CC 461(1)]

Counterfeit or non-current coin,
15:11 [CC 453]

Defaced coin, **15:18 [CC 456]**

Document in false name, **12:208**
[CC 374(b)]

Forged document, **12:191 [CC**
368]

Forged passport, **3:15 [CC**
57(1)(b)]

Slug or counterfeit token, **15:14**
[CC 454]

Threats, **10:226 [CC 264.1]**

“Utter,” **15:1 [CC 448]**

UTTERING THREATS

Generally, **10:226 [CC 264.1]**

VALUABLE SECURITY

Destroying or obliterating, **12:72**
[CC 340]

Falsification, **13:55 [CC 397]**

Obtaining by false pretence,
12:179 [CC 363]

“Valuable security” defined, **1:3**
[CC 2]

Valuation, **2:4 [CC 4(2)]**

VAULT-BREAKING

Possession of instruments,
12:125 [CC 351(1)]

VEHICLE

See DRIVING OFFENCES;
MOTOR VEHICLES

VEHICLE IDENTIFICATION NUMBER

Defined, **12:135, 12:139 [CC**
353.1(2), 354(3)]

Presumption where removed,
12:138, 12:139 [CC 354(2),
(3)]

Tampering
offence, **12:135 [CC 353.1(1)**
to (3)]

punishment, **12:135 [CC**
353.1(4)]

VENEREAL DISEASE

Advertising cure, **7:42 [CC 163]**

VENUE

See also JURISDICTION

Change of venue, **27:71 [CC**
599]

Conveyance of prisoner, **27:76**
[CC 600]

grounds, **27:72 [CC 599(1)]**

payment of expenses, **27:73**
[CC 599(2)]

VENUE—Cont'd

- Conveyance of prisoner, **27:76**
[CC 600]—Cont'd
 - to court speaking language of
accused, **22:11** [CC 531]
 - transmission of record, **27:75**,
27:71 [CC 599(4), (5)]
- Newspaper libel, **19:27** [CC
478(2)]
- New trial in summary conviction, **38:105** [CC 822(2)]
- Summary, **38:91** [CC 814]
- Summary conviction appeals,
38:91 [CC 814]

VERDICT

- See also JURY
- Conviction of included offence,
27:253 [CC 662]
- Defect in process not ground for
quashing, **27:278** [CC 671]
- Disagreement of jury, **27:228**
[CC 653]
- Fitness to stand trial, **27:114** [CC
615]
- Full offence charged, attempt
proved, **27:249** [CC 660]
- Full offence proved on charge of
attempt, **27:251** [CC 661]
- Infanticide, **27:258** [CC 663]
- Recommendation in second
degree murder, **34:150**,
34:151 [CC 743, 743.1]
- Taking verdict on Sunday,
27:234 [CC 654]

VESSELS

- See also AIRCRAFT, MOTOR
VEHICLES
- Endangering safety of, **3:50** [CC
78.1]
- Fraud in obtaining transportation,
13:49 [CC 393(3)]
- Interfering with saving, **14:44**
[CC 438]
- defence, **14:4** [CC 429(2)]

VESSELS—Cont'd

- Joy-riding, **12:61** [CC 335]
- Jurisdiction over offences, **19:14**
[CC 476]
 - offences on territorial waters,
19:19 [CC 477]
 - offences outside Canada, **2:13**
[CC 6(3)(a)]
- Making fast to marine signal,
14:48 [CC 439]
 - defence, **14:4** [CC 429(2)]
- Piracy, **3:44**, **3:45** [CC 74, 75]
- Removing natural bar to harbour,
14:51 [CC 440]
 - defence, **14:4** [CC 429(2)]
- Wreck, **13:91** [CC 415]

**VICTIM IMPACT
STATEMENT**

- See also COMMUNITY
IMPACT STATEMENT
- Adjournment, **34:49** [CC
722(3)]
 - conditions of exclusion, **34:49**
[CC 722(7)]
 - consideration by sentencing
court, **34:49** [CC 722(8)]
- Content, **34:50** [CC 722(1)]
- Copy of statement, **34:51** [CC
722.1]
- Evidence concerning victim
admissible, **34:49** [CC
722(9)]
- Form, **34:49** [CC 722(4)]
- Inquiry by court, **34:49** [CC
722(2)]
- Mental disorder verdict
 - disposition hearing, **28:46**
[CC 672.5(14) to (15.3)]
- No bar to other evidence, **34:49**
[CC 722(9)]
- Photograph, [CC 722(6)]
- Presentation of statement, **34:49**
[CC 722(5)]

VICTIM IMPACT

STATEMENT—Cont'd

“Victim,” **1:3, 34:49 [CC 2, 722(4)]**

VICTIMS

See also **RESTITUTION**;
VICTIM IMPACT STATEMENT;
VICTIM SURCHARGE;
WITNESS/INDEX

Aboriginal accused or vulnerable populations, **21:75 [CC 515(13.1)]**

Acting on behalf of, **1:45 [CC 2.2]**

Defined, **1:3, 42:3 [CC 2, YCJA 2(2)]**

Judicial interim release of accused, **21:75 [CC 515(13)]**

Safety and security of, **21:75 [CC 515(13)]**

VICTIM SURCHARGE

Amount of surcharge, **34:119 [CC 737(2)]**

Amounts applied to aid victims, **34:117 [CC 737(5)]**

Enforcement, **34:117 [CC 737(7)]**

Exception, **34:117 [CC 737(2.1) to (2.4), (8)]**

Increase in surcharge, **34:117 [CC 737(6)]**

Notice to offender, **34:117 [CC 737(6)]**

Power to order suspension pending appeal, **29:49, 29:42, 29:50 [CC 683(5), (5.1), (6)]**

Time for payment, **34:117 [CC 737(4)]**

VIDEO AND AUDIO

EVIDENCE

Audio evidence

appeals, on, **29:42 [CC 683(2.2)]**

witness inside Canada, **29:42 [CC 683(2.2)]**

witness outside Canada, **29:42, 31:39 [CC 683(2.2), 714.3]**

Consent, **31:44 [CC 714.8]**

Costs of technology, **31:43 [CC 714.7]**

Oath or affirmation, **31:41 [CC 714.5]**

Other laws applying, **31:42 [CC 714.6]**

Reasons, **31:40 [CC 714.4]**

Video links

appeals, on, **29:42 [CC 683(2.2)]**

contempt, **40:159 [CEA 50(1.2)]**

laws about witnesses applying, **40:159 [CEA 50(1.1)]**

perjury, **6:48 [CC 131(1.1)]**

subpoena, **31:11 [CC 700.1]**

witness in Canada, **29:42, 31:37, 40:154 [CC 683(2.2), 714.1, CEA 46(2)]**

witness outside Canada, **29:42, 31:38 [CC 683(2.2), 714.2]**

VIDEO CONFERENCES

See **VIDEO AND AUDIO EVIDENCE**

VIDEOTAPED EVIDENCE

Generally, **31:53, 31:58 [CC 715.1, 715.2]**

VIEW

Generally, **27:224 [CC 652]**

VIOLENCE

- Extortion, **12:93** [CC **346(1)**]
- Intimidation, **13:101** [CC **423(1)(a)**]
- Threatening or using to overcome resistance to theft, **12:82** [CC **343(a)**]

VOYEURISM

- Defence, **7:37** [CC **162(6)**]
- Exemption, **7:37** [CC **162(3)**]
- Motives, **27:112** [CC **612(7)**]
- Offence, **7:37 (1)(4)** [CC **162 (1)(4)**]
- Punishment, **7:37** [CC **162(5)**]

WAGERING

- See **BETTING**

WANT OF PROSECUTION

- Dismissal
 - procedural irregularities, **20:4** [CC **485(3)**]
 - recommencement of proceeding, **20:6** [CC **485.1**]
 - summary conviction appeal, **38:116** [CC **825**]

WAR CRIMES

- Special pleas, **27:98** [CC **607(6)**]
- Superior court jurisdiction, **19:2** [CC **469(c.1)**]

WAR MEMORIAL

- Mischief re, **14:5** [CC **430(4.11)**]

WARRANT

- See also **ARREST, SEARCH WARRANTS, TELEWARRANTS, WITNESS**
- Appearance of accused other than by designated counsel, **27:205** [CC **650.01(4)**]
- Arrest, for, **39:32** [CC **Form 7**]
- Assistance order, **20:73** [CC **487.02**]

WARRANT—Cont'd

- Bodily impressions, **20:109** [CC **487.092**]
- Committal, for, **39:34** [CC **Form 8**]
- Duties of persons executing, **20:109.50** [CC **487.093**]
- Dwelling-house, powers to enter, to carry out arrests
 - warrant to enter dwelling-house, **21:120, 39:33** [CC **529.1, Form 7.1**]
 - authorization to enter included in warrant of arrest, **21:119** [CC **529(1)**]
 - execution, **21:119** [CC **529(2)**]
 - omitting announcement before entry, **21:125** [CC **529.4(1)**]
 - exception, **21:125** [CC **529.4(3)**]
 - execution of authorization, **21:125** [CC **529.4(2)**]
 - reasonable terms and conditions, **21:122** [CC **529.2**]
 - sealing order for information to obtain, **20:115** [CC **487.3**]
 - telewarrant, **21:126** [CC **529.5**]
- Endorsement, **39:56** [CC **Form 28**]
- in another jurisdiction, **21:118, 23:67** [CC **528, 543**]
- release of accused, **21:51, 21:52** [CC **507(6), 507.1(8)**]
- General warrant, information for, **20:47** [CC **487.01**]
- sealing order, **20:115** [CC **487.3**]

WARRANT—Cont'd

General warrant, information for,
20:47 [CC 487.01]

—Cont'd

video surveillance, **20:51,**
20:47 [CC 487.01(4),
(5)]

Preserved data, destruction of,
20:67 [CC 487.0194(4)]

Restriction on publicity, **20:113**
[CC 487.2]

Sealing order for information to
obtain, **20:115 [CC 487.3]**

Telewarrants, **20:110 [CC 487.1]**

TELEWARRANTS

see also *Telewarrants*,
528(1.1), 529.5

Tracking device, for, **20:197**
[CC 492.1]

Transmission data recorder, for,
20:198 [CC 492.2]

Warrant for arrest of witness,
31:4, 31:19 [CC 698(2),
705]

absconding witness, **31:18**
[CC 704]

refusal to give evidence, **23:73**
[CC 545(1)]

Warrant of committal
contempt, **39:53 [CC Form**
25]

default in payment of costs of
appeal, **38:120 [CC**
827(3)]

default in payment of fine,
34:108 [CC 734.7]

detention in custody, **21:92,**
21:97 [CC 519(3),
521(6) to (10)]

execution of warrant, **34:165**
[CC 744]

failure to enter recognizance
to keep peace, **38:61,**
39:51, 38:70 [CC 810,

WARRANT—Cont'd

Warrant of committal—Cont'd
Form 23, 810.1]

for contempt, **31:22, 39:53**
[CC 708(3), Form 25]

forfeiture of amounts, **39:55**
[CC Form 27]

non-compliance with release
order, **21:92 [CC**
519(1)(b), (3)]

on conviction, **25:50, 38:54,**
38:121 [CC 570, 806(2),
828(2)]

admissibility as evidence,
38:54 [CC 806(3)]

on forfeiture of recognizance,
36:19 [CC 773]

refusal to be sworn / to give
evidence, **39:48 [CC**
Form 20]

seizure of things not specified,
20:126 [CC 489]

vacating release order, **21:97**
[CC 521(6)]

video surveillance, **20:51,**
20:47 [CC 487.01(4),
(5)]

Warrant of committal of witness
contempt, **39:53 [CC Form**
25]

failure to enter recognizance,
23:86, 39:52 [CC 550,
Form 24]

refusal to be sworn / to give
evidence, **39:48 [CC**
Form 20]

Warrant remanding to prison,
21:86, 23:14 [CC 516,
537(1)(c)]

Warrant to convey accused to
justice of another jurisdic-
tion, **23:67 [CC 543]**

Where jurisdiction lost, **20:4**
[CC 485(2)]

WATCHING OR BESETTING

Generally, **13:101** [CC
423(1)(f), (2)]

WEAPON

See also **FIREARMS**

Assault, **10:231, 10:240** [CC
265(1)(c), 267(a)]

Defined, **1:3** [CC **2**]

Discharge firearm with intent,
10:114 [CC **244**]

Forfeiture or return to owner,
20:193 [CC **491**]

“Offensive weapon,” **1:3** [CC **2**]

Sexual assault, **10:263** [CC
272(1)(a)]

Taking on board aircraft, **3:48**
[CC **78**]

WILFUL DAMAGE

See **MISCHIEF**

WILFULNESS

Defence to offences involving
wilfulness, **14:4** [CC
429(2)]

Presumption, **14:3** [CC **429(1)**]

WILL

See **TESTAMENTARY
INSTRUMENT**

WIRETAPPING

See **INTERCEPTION OF
PRIVATE COMMUNICA-
TIONS**

WITNESS

See also **BINDING OVER,
CHILD WITNESSES,
PROTECTION OF, COM-
MISSION EVIDENCE,
CORROBORATION**

Absconding witness
arrest, **31:18, 31:20** [CC **704,**
706]

WITNESS—Cont’d

Absconding witness—Cont’d
warrant, **31:18** [CC **704**]
endorsement in another
jurisdiction, **21:118**
[CC **528**]

Accused as witness, **40:5** [CEA
4]

Accused not to cross-examine
child witness, **20:17** [CC
486.3]

Administration of oath, **40:53**
[CEA **13**]

Adverse witness, **40:35** [CEA
9(1)]

Affirmation in lieu of oath, **40:54**
[CEA **14**]

Appeal (witness on hearing)
powers of court, **29:43** [CC
683(1)]

Application of Code provisions,
31:1 [CC **697**]

Arrest, **31:18** [CC **704**]
detention or release, **31:20**
[CC **706**]

Capacity of witness challenged
child, **40:60, 42:174** [CEA
16(1), YCJA 151]
mental capacity challenged,
40:60 [CEA **16(1)**]

Child witness, protection of,
20:24 [CC **486.6**]

Contradictory evidence, **6:60**
[CC **136**]

Difficulty communicating
evidence of person with
mental disability, **40:25**
[CEA **6(2)**]

evidence of person with physi-
cal disability, **40:26**
[CEA **6(1)**]

identification of accused,
40:27 [CEA **6.1**]

inquiry, **40:25** [CEA **6(3)**]

WITNESS—Cont'd

- Examination in Canada for foreign, **40:152 [CEA 46]**
- Expert witness
 - limit on number, **40:28 [CEA 7]**
- Failure to attend
 - contempt, **31:23 [CC 708(1)]**
 - warrant, **31:19 [CC 705]**
- Identification of accused, **40:27 [CEA 6.1]**
- Identity, **20:20, 20:22, 38:80 [CC 486.4, 486.5, 810.5]**
- Intimidation, **6:70 [CC 139(3)]**
- Misleading justice, **6:48 to 6:75 [CC 131 to 141]**
- Mute witness, **40:25 [CEA 6]**
- Non-disclosure of identity, **20:19, 38:80 [CC 486.31, 810.5]**
- Obstructed view testimony, **20:16 [CC 486.2]**
- Outside Canada
 - commission evidence, **31:25, 31:31 [CC 709, 712]**
- Person with disability, **40:25 [CEA 6]**
- Preliminary inquiry
 - recognizance and committal, **23:86 [CC 550]**
 - refusing to testify, **23:72 [CC 545]**
- Previous inconsistent statement, **40:34 to 40:45 [CEA 9 to 11]**
- Prisoner as witness, **21:116 [CC 527]**
- Proceedings, **40:149 to 40:160 [CEA 43 to 51]**
- Procuring attendance subpoena
 - contents, **31:9 [CC 700]**
 - endorsement in another jurisdiction, **21:118 [CC 528]**

WITNESS—Cont'd

- Procuring attendance—Cont'd subpoena—Cont'd
 - for absconding witness, **31:18 [CC 704]**
 - issuance, **31:2, 31:6 [CC 698, 699]**
 - service, **31:12 [CC 701]**
 - territorial effect, **31:14, 31:15 [CC 702, 703]**
 - warrant, **31:2 [CC 698]**
- Production of written statement, **40:40 [CEA 10(1)]**
- Proof of conviction, **40:50 [CEA 12(2)]**
- Reading in evidence
 - from preliminary, **31:45 [CC 715]**
 - summary conviction appeal, **38:108 [CC 822(5)]**
- Sequestered testimony, **20:16 [CC 486.2]**
- Support person, **20:15 [CC 486.1]**
- Treason and high treason
 - list of witnesses delivered to accused, **27:87 [CC 604]**
- Video links, **40:154, 40:159 [CEA 46(2), 50(1.1), (1.2)]**
- Videotaped complaint, **31:53, 31:58 [CC 715.1, 715.2]**

WORKPLACE SAFETY

- Duty of persons directing work, **10:12 [CC 217.1]**

WOUNDING

- See also **BODILY HARM, WEAPON, WRECK**
- Concealing or dealing with, **13:91 [CC 415]**
- Interfering with saving, **14:46 [CC 438(2)]**
- defence, **14:4 [CC 429(2)]**
- Wreck, **1:3 [CC 2]**

YOUTH CRIMINAL JUSTICE

- Adjudication
 - plea of guilty, **42:44** [YCJA **36(1)**]
 - plea of not guilty, **42:44** [YCJA **36(2)**]
- Adult sentence
 - age, prescribed, **42:81** [YCJA **64**]
 - application by Crown for
 - appeal from, **42:45, 42:88** [YCJA **37, 72(5)**]
 - assessment for, **42:41** [YCJA **34**]
 - commencement, **42:91** [YCJA **74(3)**]
 - conviction, as, **42:91** [YCJA **74(2), (3)**]
 - Criminal Code, application of, **42:83, 42:92** [YCJA **67(8), (9), 74(1)**]
 - duty of AG to consider, **42:81** [YCJA **64(1.1), (1.2)**]
 - hearing, **42:87** [YCJA **71**]
 - included offences, **42:81, 42:86** [YCJA **64(3), 69**]
 - murder, for, **34:171 to 34:182, 34:194** [CC **745.1 to 745.5, 746.1(3)**]
 - notice requirements, **42:81, 42:86, 42:98** [YCJA **64(2) to (3), 69, 81**]
 - onus, **42:88** [YCJA **72(2)**]
 - pre-sentence report, **42:88** [YCJA **72(3)**]
 - procedure for application or notice, **42:98** [YCJA **81**]
 - reasons, **42:88** [YCJA **72(4)**]
 - right to bring, **42:81, 42:86, 42:86** [YCJA **64(1), 68, 69**]

YOUTH CRIMINAL JUSTICE

—Cont'd

- Adult sentence—Cont'd
 - duty of AG to consider, **42:81** [YCJA **64(1.1), (1.2)**]
 - Cont'd
 - test applicable, **42:89, 42:88** [YCJA **72(1), (1.1)**]
 - election, **42:83** [YCJA **67**]
 - hearing, **42:87** [YCJA **71**]
 - imposition of, duties of court respecting, **42:90** [YCJA **73**]
 - imprisonment
 - life sentence, **34:167 to 34:182** [CC **745 to 745.5**]
 - placement upon, **42:45, 42:93, 42:96, 42:97** [YCJA **37, 76, 79, 80**]
 - jury trial, **42:83** [YCJA **67(6), (9)**]
 - parole, **34:161, 42:94** [CC **743.5(3), YCJA 77**]
 - preliminary inquiry, **42:83** [YCJA **67(7), (8)**]
 - pre-sentence report, **42:53** [YCJA **40**]
 - release entitlement, **42:95** [YCJA **78**]
 - serious violent offence
 - assessment where alleged, **42:41** [YCJA **34(1)(b)(iii)**]
 - continuation in custody, **42:116** [YCJA **98**]
 - definition, **42:3** [YCJA **2(1)**]
 - intensive rehabilitative custody, **42:55** [YCJA **42(7)**]
 - proof of offence, **27:268** [CC **667**]

YOUTH CRIMINAL JUSTICE

—Cont'd

- Adult sentence—Cont'd
 - serious violent offence
 - Cont'd
 - records re, **42:141** [YCJA **120(3)**]
 - trial procedure
 - Criminal Code, application of, **42:83** [YCJA **67(9)**]
 - election, **42:83** [YCJA **67**]
 - where required, **42:88**, **42:90** [YCJA **72(1)(b)**, **73(1)**]
- Adult status offender
 - application of act, **42:17** [YCJA **14(5)**]
 - continuation of proceedings against, **42:17** [YCJA **14(4)**]
 - continuation of youth sentence, **42:55**, **42:107**, **42:110** [YCJA **42(17)**, **89**, **92**, **93**]
 - custodial placement upon conviction, **42:93**, **42:107**, **42:110** [YCJA **76(2)**, **89**, **92(4)**, **(5)**, **(9)**]
 - status uncertain, **42:19** [YCJA **16**]
 - transfer to adult facilities, **42:36**, **42:110**, **42:111** [YCJA **30(4)**, **92(1)** to **(3)**, **93**, **(5)**]
- Alternative measures, See EXTRAJUDICIAL MEASURES
- Appeals
 - adult sentence, order re, from, **42:45**, **42:87**, **42:93** [YCJA **37(4)**, **71**, **76(5)**]
 - consolidation, **42:45** [YCJA **37(4)**]

YOUTH CRIMINAL JUSTICE

—Cont'd

- Appeals—Cont'd
 - contempt, for, **42:45**, **2:26** [YCJA **37(2)** to **(3)**, CC **10**]
 - Criminal Code, application of, **42:45** [YCJA **37(1)**, **(5)**, **(9)**]
 - indictable offences
 - contempt, **42:45**, **2:26** [YCJA **37(2)**, **(3)**, CC **10**]
 - deemed election, **42:45** [YCJA **37(7)**]
 - forum, Nunavut, **42:45**, **38:135** [YCJA **37(9)**, CC **839**]
 - forum where YJC is superior court, **42:45** [YCJA **37(8)**]
 - Supreme Court of Canada, to, **42:45** [YCJA **37(10)**]
 - youth sentence on review, from, **42:45** [YCJA **37(11)**]
 - publication ban, from, **42:45**, **42:92** [YCJA **37(4)**, **75(3)**]
 - review of custody and, **42:112** [YCJA **94(7)**]
 - “serious violent offence”
 - determination, from, **42:45**, **42:55** [YCJA **37(4)**, **42(10)**]
 - summary conviction offences
 - generally, **42:45** [YCJA **37(5)**]
 - deemed election, **42:45** [YCJA **37(7)**]
 - offences tried jointly, **42:45** [YCJA **37(6)**]
 - youth sentence on review,

YOUTH CRIMINAL JUSTICE

- Cont'd
- Appeals—Cont'd
 - summary conviction offences
 - Cont'd
 - from, **42:45 [YCJA 37(11)]**
 - transfer of youth sentence,
 - and, **42:76 [YCJA 57(2)]**
- Appearance
 - procedure on appearance,
 - 42:39 [YCJA 32]**
 - unrepresented accused, **42:39 [YCJA 32(3) to (5)]**
 - waiver of procedural requirements, **42:39 [YCJA 32(2)]**
- Assessments, See **MEDICAL AND PSYCHOLOGICAL REPORTS**
- Cautions, **42:9 [YCJA 6]**
- Commencement of proceedings, **42:186 [YCJA 162]**
- CONDITIONAL SUPERVISION, See **CUSTODY AND SUPERVISION**
- Construction of Act, **42:3, 42:4 [YCJA 2(2), 3(2)]**
- Contempt of court, **42:18, 42:45 [YCJA 15, 37(2) to (3)]**
- Continuation of proceedings, **42:17 [YCJA 14(4)]**
- Contraventions Act offences
 - attendance of parents, **42:32 [YCJA 27(2)]**
 - jurisdiction, **42:17 [YCJA 14(1)]**
 - notices, **42:31 [YCJA 26(3), (6), (7)]**
- Corrections and Conditional Release Act, application of, **42:94 [YCJA 77(2)]**
- Criminal Code, application of
 - generally, **42:161 [YCJA 140]**

YOUTH CRIMINAL JUSTICE

- Cont'd
- Criminal Code, application of
 - Cont'd
 - appeal provisions, **42:45 [YCJA 37]**
 - attendance of accused provisions, **42:153, 42:164 [YCJA 132(2), 142(3), (4)]**
 - bail provisions, **42:33, 42:35, 42:40 [YCJA 28, 29(2), 33]**
 - bail review provisions, **42:40 [YCJA 33]**
 - compelling appearance provisions, **42:33 [YCJA 28]**
 - contempt provisions, **42:17 [YCJA 14(4)]**
 - costs provisions, **42:164 [YCJA 142(5)]**
 - dangerous offender provisions, **42:91 [YCJA 74(1)]**
 - definition provisions, **42:3 [YCJA 2(2)]**
 - forfeiture of recognizance provisions, **42:156 [YCJA 135(6), (7)]**
 - forms provisions, **42:177 [YCJA 154(2)]**
 - indictable offence appeal provisions, **42:45 [YCJA 37(1), (6)]**
 - limitation period provisions, **42:164 [YCJA 142(4)]**
 - long-term offender provisions, **42:91 [YCJA 74(1)]**
 - mental disorder provisions, **42:163 [YCJA 141]**
 - peace bond provisions, **42:17, 42:23 [YCJA 14(2), 20(2)]**
 - preliminary inquiry provisions, **42:83 [YCJA 67(8)]**

YOUTH CRIMINAL JUSTICE

—Cont'd

- Criminal Code, application of
 - Cont'd
 - prohibition order provisions, 42:55, 42:70 [YCJA 42(2)(j), 51]
 - proof of previous conviction provisions, 42:86 [YCJA 68(3)]
 - sentencing provisions, 42:57, 42:69, 42:70, 42:91, 42:95 to 42:97 80, 42:110 [YCJA 42(2)(j), 50, 51, 74(1), 78 to 80, 92(4)]
 - summary conviction appeal provisions, 42:45 [YCJA 37(5), (6)]
 - summary conviction trial provisions, 42:164 [YCJA 142]
 - trial provisions, 42:83, 42:164 [YCJA 67(9), 142]
- Custody and supervision, See also DETENTION BEFORE SENTENCING; YOUTH SENTENCE
 - adult status offenders, 42:93, 42:107, 42:110, 42:111 [YCJA 76(2), 89, 92, 93]
 - breach of conditions, 42:120, 42:121, 42:124 to 42:128 [YCJA 102, 103, 106 to 109]
 - conditional supervision
 - apprehension of young person for breach, 42:126 [YCJA 107]
 - breach of order, 42:124 to 42:128 [YCJA 106 to 109]
 - conditions, setting, 42:123 [YCJA 105]
 - deferred custody and supervision order and,

YOUTH CRIMINAL JUSTICE

—Cont'd

- Custody and supervision, See also DETENTION BEFORE SENTENCING; YOUTH SENTENCE
 - Cont'd
 - conditional supervision
 - Cont'd
 - 42:61 [YCJA 42(6)]
 - recommendation of provincial director re, 42:114 [YCJA 96]
 - reviews, 42:112, 42:113, 42:114, 42:127, 42:128, 42:128 [YCJA 94, 95, 96(3), 108, 109, (4), (7), (8)]
 - suspension of, 42:124, 42:128 [YCJA 106, 109(2)(b)]
 - continuation of custody
 - application of Attorney General, 42:122 [YCJA 104]
 - application of provincial director, 42:116 to 42:118 [YCJA 98 to 100]
 - reasons, 42:118, 42:122 [YCJA 100, 104(5)]
 - reviews, 42:112, 42:113, 42:119, 42:122 [YCJA 94, 95, 101, 104(5)]
 - custody and supervision order
 - breach of order, 42:61, 42:120, 42:121, 42:127 [YCJA 42(6), 102, 103, 108]
 - conditions, setting, 42:55, 42:115 [YCJA 42(2)(n), 97]
 - continuation of custody, 42:112, 42:113, 42:116 to 42:119, 42:121,

YOUTH CRIMINAL JUSTICE

—Cont'd

Custody and supervision, See
also DETENTION
BEFORE SENTENCING;
YOUTH SENTENCE

—Cont'd

custody and supervision order

—Cont'd

42:122 [YCJA 94, 95,
98 to 101, 103(2)(b),
104]

deferred, 42:57, 42:61,
42:123 to 42:128
[YCJA 42(2)(p),
42(6), 105 to 109]

reviews, 42:61, 42:112,
42:113, 42:119,
42:122, 42:127,
42:128 [YCJA 42(6),
94, 95, 101, 104(5),
108 to 109]

levels of custody, 42:103 to
42:106 [YCJA 85 to 88]

principles, 42:101, 42:102,
42:103 [YCJA 83(2), 84,
85(5)]

provincial regulations respect-
ing, 42:106 [YCJA 88]

purpose, 42:101 [YCJA
83(1)]

reintegration leave, 42:109
[YCJA 91]

reviews, 42:105, 42:106,
42:112 to 42:114,
42:119, 42:121, 42:127,
42:128 [YCJA 87, 88, 94
to 96, 101, 103, 108,
109]

separation from adults,
requirement, 42:102
[YCJA 84]

transfers, 42:103, 42:104 to
42:106, 42:107, 42:110,
42:111 [YCJA 85(4) to

YOUTH CRIMINAL JUSTICE

—Cont'd

Custody and supervision, See
also DETENTION
BEFORE SENTENCING;
YOUTH SENTENCE

—Cont'd

(7), 86 to 88, 89(2), 92,
93]

youth worker, designation and
role, 42:108 [YCJA 90]

Declarations of principle

custody and supervision, re,
42:101 [YCJA 83(2)]

extrajudicial measures, re,
42:6 [YCJA 4]

general, 42:5 [YCJA 3(1)]

Detention before sentencing

application for detention or
release

court to hear, 42:40 [YCJA
33(1), 33(8)]

notice to prosecutor, 42:40
[YCJA 33(2)]

notice to young person,
42:40 [YCJA 33(3)]

review of orders, 42:40
[YCJA 33(5) to (7),
(9)]

s. 469 offences, 42:40
[YCJA 33(8), (9)]

waiver of notice, 42:40
[YCJA 33(4)]

authorization of provincial
authority, 42:36 [YCJA
30(8)]

Criminal Code, application of,
42:33 [YCJA 28]

designated place of temporary
detention in, 42:36
[YCJA 30(1)]

exception, 42:36 [YCJA
30(7)]

offence relating to, 42:160
[YCJA 139]

YOUTH CRIMINAL JUSTICE

—Cont'd

- Detention before sentencing
 - Cont'd
 - justification for, **42:35** [YCJA 29(2)]
 - onus, **42:35** [YCJA 29(3)]
 - responsible person, placement in care of, **42:38, 42:160** [YCJA 31, 139]
 - offence relating to, **42:160** [YCJA 139]
 - separation from adults, requirement, **42:36** [YCJA 30(3)]
 - exception, **42:36** [YCJA 30(7)]
 - social measure, as, prohibited, **42:34** [YCJA 28.1]
 - transfers in custody
 - adult facility, to, **42:36** [YCJA 30(4), (5)]
 - court, to and from, **42:36** [YCJA 30(2)]
 - designated places, between, **42:36** [YCJA 30(6)]
- Election, mode of trial, **42:83** [YCJA 67]
- Employment applications
 - prohibited content, **42:99** [YCJA 82(3)]
- Evidence
 - admissions, **42:13, 42:168, 42:172** [YCJA 10(4), 146, 149]
 - age, of
 - inference, permissible, **42:171** [YCJA 148(4)]
 - parental testimony, by, **42:171** [YCJA 148(1)]
 - record, by, **42:164, 40:79** [YCJA 142(2), CEA 25(1)]

YOUTH CRIMINAL JUSTICE

—Cont'd

- Evidence—Cont'd
 - age, of—Cont'd
 - reliable information, by, **42:171** [YCJA 148(3)]
 - agreements concerning
 - material evidence, **42:173** [YCJA 150]
 - undisputed facts, **42:172** [YCJA 149]
 - child of, **42:174, 40:59** [YCJA 151(a), CEA 16]
 - confessions, **42:168** [YCJA 146]
 - documents, validity of, **42:176** [YCJA 153]
 - extrajudicial measures, of, **42:12, 42:13** [YCJA 9, 10(4)]
 - material
 - consent to admission, **42:173** [YCJA 150]
 - seals, **42:176** [YCJA 153]
 - service, proof of, **42:175** [YCJA 152]
 - statements, admissibility of
 - extrajudicial measures, made in connection with, **42:13** [YCJA 10(4)]
 - general law applicable, **42:169** [YCJA 146(1)]
 - medical assessments, in, **42:170** [YCJA 147]
 - persons in authority, to, **42:168** [YCJA 146(2) to (9)]
 - pre-sentence reports, in, **42:49** [YCJA 39(10)]
 - psychological assessments, in, **42:170** [YCJA 147]
 - undisputed facts, of, **42:172** [YCJA 149]

YOUTH CRIMINAL JUSTICE

—Cont'd

- Evidence—Cont'd
 - young person, of, **42:174**
[YCJA 151(b)]
- Exclusion from hearing, **42:153**
[YCJA 132]
- Extrajudicial measures
 - adequacy, **42:7** [YCJA 4.1]
 - admissibility in evidence
 - prohibited, **42:12, 42:13**
[YCJA 9, 10(4)]
 - alternative measures
 - continuation as, **42:189**
[YCJA 165(5)]
 - cautions
 - generally, **42:9, 42:12**
[YCJA 6, 9]
 - Crown, **42:11** [YCJA 8]
 - police, **42:10** [YCJA 7]
 - continuation, after age 18,
42:17 [YCJA 14(4)]
 - objectives, **42:8** [YCJA 5]
 - principles, general, **42:6, 42:9,**
42:12, 42:13 [YCJA 4, 6,
9, 10]
 - records re, **42:135, 42:139**
[YCJA 115(1.1), 119(4)]
 - referrals, **42:9, 42:12** [YCJA
6, 9]
 - sanctions
 - admissions inadmissible,
42:13 [YCJA 10(4)]
 - availability, **42:13** [YCJA
10(1) to (3)]
 - conditions, **42:13** [YCJA
10(2)]
 - judicial proceedings, effect
on, **42:13** [YCJA
10(5) to (6)]
 - laying of information, and,
42:13 [YCJA 10(6)]
 - notice to parent of, **42:14**
[YCJA 11]

YOUTH CRIMINAL JUSTICE

—Cont'd

- Extrajudicial measures—Cont'd
 - sanctions—Cont'd
 - principles, general, **42:13**
[YCJA 10(1) to (3)]
 - res judicata, and, **42:13**
[YCJA 10(2)(g), 10(5)
to (6)]
 - use, restriction on, **42:13**
[YCJA 10(1), (3)]
 - transitional provisions, **42:189**
[YCJA 165(5)]
 - victim rights respecting, **42:15**
[YCJA 12]
 - warnings, **42:9, 42:12** [YCJA
6, 9]
- Forfeiture of recognizances,
42:155, 42:156 [YCJA 134,
135]
- Forms, **42:177** [YCJA 154]
- Identification of Criminals Act,
application of, **42:133**
[YCJA 113]
- Interprovincial agreements,
42:77, 42:179, 42:188
[YCJA 58, 156, 164]
- Judges
 - disqualification, **42:151**
[YCJA 130]
 - substitution, **42:152** [YCJA
131]
- Limitation periods, **42:17,**
42:164 [YCJA 14(3),
142(4)]
- Medical and psychological
reports, **42:41** [YCJA 34]
- Mental disorder, **42:163** [YCJA
141]
- Offences
 - authorizing use of prescribed
employment application,
42:160 [YCJA 139(3)]
 - breach of deferred custody and
supervision order, **42:61,**

YOUTH CRIMINAL JUSTICE

—Cont'd

Offences—Cont'd

- 42:124 to 42:128 [YCJA 42(6), 106 to 109]**
- breach of publication ban, **42:130, 42:131, 42:159, 43:103 [YCJA 110(1), 111(1), 138, YOA 38(1)]**
- classification of, **42:45, 42:164 [YCJA 37(7), 142(2)]**
- contempt, **2:26, 42:18, 42:32, 42:45 [CC 10, YCJA 15, 27(4)(a), 37(3)]**
- failure to comply with disposition or youth sentence, **42:158 [YCJA 137]**
- failure to comply with order to attend court (parent), **2:26, 42:32, 42:45 [CC 10, YCJA 27(4), 37(4)]**
- failure to comply with undertaking re condition of placement in care of responsible person, **42:38, 42:160, 43:18 [YCJA 31(3), 139, YOA 7.1(2)]**
- failure to keep information separate, **42:159, 43:103 [YCJA 138, YOA 38(1.15)(a)]**
- failure to prevent unauthorized access to information, **42:159, 43:103 [YCJA 138, YOA 38(1.15)(b)]**
- interference with disposition or youth sentence, **42:157 [YCJA 136]**
- unauthorized detention of young person, **42:36, 42:160, 43:17 [YCJA 30, 139, YOA 7]**
- unauthorized disclosure of information, **42:150,**

YOUTH CRIMINAL JUSTICE

—Cont'd

Offences—Cont'd

- 42:65, 42:159, 42:150, 42:65, 43:103 [YCJA 129, 46(1), 138, YOA 38(1.12), (1.14)]**
- use of prescribed employment application, **42:160 [YCJA 139(3)]**
- Organization of system
 - clerks of court, **42:24 [YCJA 21]**
 - conferences, **42:22 [YCJA 19]**
 - justices of the peace, **42:23 [YCJA 20]**
 - provincial directors
 - delegation, authorized, **42:25 [YCJA 22]**
 - review board, **42:29, 42:105, 42:106, 42:134, 42:139, 42:141, 42:153 [YCJA 25(3), 87, 88, 114, 119(h), 120(4)(c), 132(3), (4), (7)]**
 - transitional provisions, **42:189 [YCJA 165]**
 - youth justice court
 - contempt against, **42:18 [YCJA 15]**
 - court of record, **42:16 [YCJA 13(4)]**
 - deemed, **42:16 [YCJA 13(2), (3)]**
 - designation of, **42:16 [YCJA 13(1)]**
 - disqualification of judges, **42:151 [YCJA 130]**
 - jurisdiction, **42:17, 42:18, 42:77 [YCJA 14, 15, 58(2), (3)]**
 - rules, **42:20 [YCJA 17]**
 - substitution of judges, **42:152 [YCJA 131]**

YOUTH CRIMINAL JUSTICE

—Cont'd

Organization of system—Cont'd
youth worker, **42:108** [YCJA 90]

Parent or guardian

notices to, **42:31** [YCJA 26]

order requiring attendance

failure to attend, **2:26,38:7, 42:32, 42:45** [CC 10, 787, YCJA 27(4), 37(3)]

power of court to issue, **42:32** [YCJA 27(1)]

service, **42:32** [YCJA 27(3)]

unavailable in ticket proceedings, **42:32** [YCJA 27(2)]

testimony re age, **42:171** [YCJA 148(1)]

Peace bond, **42:17, 42:23** [YCJA 14(2), 20(2)]

Policy, **42:5** [YCJA 3(1)]

Pre-charge screening, **42:26** [YCJA 23(1), (2)]

Preliminary inquiry, **42:83** [YCJA 67(7), (8)]

Private prosecutions, **42:27** [YCJA 24]

Procedure

counts charged in information, **42:165** [YCJA 143]

subpoena, **42:166** [YCJA 144]

warrant, **42:167** [YCJA 145]

Programs

community-based

power to establish, **42:180** [YCJA 157]

types authorized, **42:180** [YCJA 157]

extrajudicial sanction, as condition of, **42:13** [YCJA 10(2)(a)]

YOUTH CRIMINAL JUSTICE

—Cont'd

Programs—Cont'd

intensive support and supervision, **42:55, 42:58** [YCJA 42(2)(l), 42(3)]

non-residential, attendance at, **42:55, 42:58** [YCJA 42(2)(m), 42(3)]

Publication bans

appeals from, **42:45, 42:92** [YCJA 37(4), 75(4)]

application for leave to publish identity

offender, **42:129** [YCJA 110(4) to (6)]

victim or witness, **42:131** [YCJA 111(3)]

exceptions, **42:129, 42:131, 42:132, 42:132** [YCJA 110(2), 111(2), 112, (3)]

identity of offender, **42:129** [YCJA 110]

identity of victim, **42:131** [YCJA 111]

identity of witness, **42:131** [YCJA 111]

offences relating to, **42:159** [YCJA 138]

Purpose of legislation

custody and supervision provisions, **42:101** [YCJA 83(1)]

sentencing provisions, **42:47** [YCJA 38(1)]

Records

access

adult sentence, records re, **42:137** [YCJA 117]

application for, outside access period, **42:144** [YCJA 123]

archivists, by, **42:149** [YCJA 128(6)]

YOUTH CRIMINAL JUSTICE

—Cont'd

Records—Cont'd

access—Cont'd

authorization requirement,
42:137, 42:138,
42:139 [YCJA 117,
118, 119(9)(b)]

conviction during access
period, effect on,
42:139, 42:141
[YCJA 119(9), 120(4),
(6)]

extrajudicial measures,
records re, 42:135,
42:139 [YCJA
115(1.1), 119(4)]

forensic DNA analysis,
records re, 42:139
[YCJA 119(6)]

form of, 42:143 [YCJA
122]

medical reports, 42:139
[YCJA 119(5), (6)]

period of, 42:139, 42:141,
42:142, 42:149
[YCJA 119(2), 120(3),
121, 128(1), (3)]

persons having, 42:140,
42:141, 42:145,
42:149 [YCJA 119(1),
120, 124, 128(6), (4)
to (6)]

pre-sentence report, undis-
closed, 42:139 [YCJA
119(5)]

prohibition orders, records
re, 42:139 [YCJA
119(3), (10)]

psychological reports,
42:139 [YCJA 119(5),
(6)]

R.C.M.P. records, 42:141
[YCJA 120]

young person, by, 42:145
[YCJA 124]

YOUTH CRIMINAL JUSTICE

—Cont'd

Records—Cont'd

destruction of, 42:146, 42:149
[YCJA 125(7)(c), 128]

disclosure of information in
application for, 42:148
[YCJA 127]

archivists' records, 42:147
[YCJA 126]

Attorney General, by,
42:146 [YCJA 125(2),
(3), (6)]

duties of recipient, 42:146,
42:150 [YCJA 125(7),
129]

foreign state, to, 42:146
[YCJA 125(3)]

form of, 42:143 [YCJA
122]

insurance company, to,
42:146 [YCJA 125(3)]

peace officer, by, 42:146
[YCJA 125(1), (3),
(4), (6)]

provincial director, by,
42:146 [YCJA 125(5),
(6)]

reports, for, 42:146 [YCJA
125(5)]

research purposes, for,
42:139, 42:141,
42:144 [YCJA 119(8),
120(5), 123(6)]

schools, to, 42:146 [YCJA
125(6)]

time limit, 42:146 [YCJA
125(8)]

youth worker, by, 42:146
[YCJA 125(5), (6)]

disposal of, 42:149 [YCJA
128]

fingerprints, 42:133 [YCJA
113]

YOUTH CRIMINAL JUSTICE

—Cont'd

- Records—Cont'd
 - introduction into evidence, **42:139 [YCJA 119(7)]**
 - offences relating to, **42:159 [YCJA 138]**
 - photographs, **42:133 [YCJA 113]**
 - types that may be kept
 - court, **42:134 [YCJA 114]**
 - government, **42:136 [YCJA 116(1)]**
 - police, **42:133, 42:135 [YCJA 113, 115]**
 - private, **42:136 [YCJA 116(2)]**
- Referral to child welfare agency, **42:43 [YCJA 35]**
- Regulations, power to make, **42:178 [YCJA 155]**
- Responsible person
 - placement in care of, **42:38 [YCJA 31]**
- Right to counsel, **42:29 [YCJA 25]**
- Rules, **42:20, 42:22, 42:178, 42:178 [YCJA 17, 19(3), 155, (4)]**
- Sex offender information
 - registration, **20:136 [CC 490.011(2),]**
- Transfer of charges, **42:154 [YCJA 133]**
- Transitional provisions, **42:181 to 42:189 [YCJA 158 to 165]**
- Violent offence
 - custodial sentence, **42:50, 42:55, 42:116 [YCJA 39(1), 42(7), 98]**
 - definition, **42:3 [YCJA 2(1)]**
 - publication ban exception, **42:129 [YCJA 110(2)(b)]**

YOUTH CRIMINAL JUSTICE

—Cont'd

- Violent offence—Cont'd
 - serious violent offence, see adult sentence
- Warnings, **42:9 [YCJA 6]**
- youth sentence, See also CUSTODY AND SUPERVISION
 - agreement of provincial director, **42:58 [YCJA 42(3)]**
 - alternatives, **42:57 [YCJA 42(2)]**
 - assessment for purpose of, **42:41 [YCJA 34(2)(c)]**
 - attendance, **42:55, 42:73, 42:77 [YCJA 42(2)(m), 42(11), 54(7), 58(1), (10)]**
 - combination with Code sentences, **34:161 [CC 743.5]**
 - commencement, **42:55, 42:62, 42:75 [YCJA 42(12), 43, 56(5), (6)]**
 - committal to custody, see also custody and supervision orders
 - custody during transfer, **42:36, 42:68 [YCJA 30, 49(2), (3)]**
 - deemed continuous, where, **42:66 [YCJA 47(1)]**
 - general principles, **42:49 [YCJA 39]**
 - intermittent, **42:66 [YCJA 47(2), (3)]**
 - placement on conviction, **42:101 to 42:106, 42:107, 42:110 [YCJA 83 to 88, 89, 92(4), (5)]**

YOUTH CRIMINAL JUSTICE

—Cont'd

- Violent offence—Cont'd
- youth sentence, See also
- CUSTODY AND
- SUPERVISION—Cont'd
- committal to custody, see
- also custody and
- supervision orders
- Cont'd
- warrant of committal,
- 42:68 [YCJA 49(1)]
- community service, 42:57,
- 42:73 [YCJA 42(2)(i),
- 54(7) to (10)]
- consolidation rules, 34:161,
- 42:62 to 42:66 [CC
- 743.5, YCJA 43 to 47]
- contempt, for, 42:18
- [YCJA 15(4)]
- continuation of custody,
- 42:116 to 42:119,
- 42:122 [YCJA 98 to
- 101, 104]
- continuation when adult,
- 42:55, 42:107, 42:110,
- 42:111 [YCJA 42(17),
- 89, 92, 93]
- Criminal Code, application
- of, 42:69, 42:70
- [YCJA 50, 51(7)]
- custodial placement, 42:101
- to 42:106, 42:107,
- 42:110 [YCJA 83 to
- 88, 89, 92(4), (5)]
- custody and supervision
- orders, 34:161, 42:55,
- 42:62 to 42:65, 42:77,
- 42:115 [CC 743.5,
- YCJA 42(2)(n) to (r),
- 43 to 46, 58, 97, (4) to
- (8), (13)]
- deferred custody and
- supervision, 34:161,
- 42:55, 42:60 [CC

YOUTH CRIMINAL JUSTICE

—Cont'd

- Violent offence—Cont'd
- youth sentence, See also
- CUSTODY AND
- SUPERVISION—Cont'd
- 743.5, YCJA 42(2)(p),
- (5)]
- breach of order, 42:61
- [YCJA 42(6)]
- definition, 42:3 [YCJA
- 2(1)]
- duration, 42:55, 42:72,
- 42:73 [YCJA 42(14)
- to (16), 53(10), 54(8)]
- extension of time to
- complete, 42:72
- [YCJA 53(10)]
- factors, 42:46, 42:52, 42:73
- [YCJA 38(3), 39(3),
- 54(7), (9)]
- failure to comply with,
- 42:158 [YCJA 137]
- fines, 42:57, 42:69, 42:72,
- 42:73 [YCJA
- 42(2)(d), 50(2), 53,
- 54(1) to (3), (10)]
- inconsistent orders, 42:55
- [YCJA 42(11)]
- intensive rehabilitative
- custody and supervi-
- sion, 34:161, 42:55,
- 42:62 to 42:65, 42:77
- [CC 743.5, YCJA
- 42(2)(r), 43 to 46,
- 58(1), (7), (8), (13)]
- intensive support and
- supervision, 42:55,
- 42:74, 42:75, 42:77
- [YCJA 42(2)(l), 55,
- 56, 58(1), (11)]
- interference with, 42:157,
- 42:190 [YCJA 136,
- 197]
- interprovincial arrange-

YOUTH CRIMINAL JUSTICE

—Cont'd

- Violent offence—Cont'd
 - youth sentence, See also CUSTODY AND SUPERVISION—Cont'd
 - ments, 42:77 [YCJA 58]
 - jurisdiction, transfer of, 34:161 [CC 743.5]
 - limitation, 42:46 [YCJA 38(2)(a)]
 - order of, conditions for, 42:88, 42:90 [YCJA 72(1.1), 73(2)]
 - orders, possible, 42:57 [YCJA 42(2)]
 - payment to innocent purchaser, 42:55, 42:73 [YCJA 42(2)(g), 54(1), (4), (5)]
 - pre-sentence report, 42:49, 42:53 [YCJA 39(6), 40]
 - principles, general, 42:48 [YCJA 38(2)]
 - principles re custody, 42:49, 42:101, 42:102, 42:116 [YCJA 39, 83(2), 84(5), 98(4)]
 - probation orders, 42:55, 42:74, 42:75, 42:75 [YCJA 42(2)(k), 55, 56, (11)]
 - prohibition orders, 42:55, 42:70, 42:71 [YCJA 42(2)(j), 51, 52]
 - publication ban, 42:129 [YCJA 110]
 - purpose, 42:47 [YCJA 38(1)]
 - reasons, 42:49, 42:67, 42:70, 42:118 [YCJA 39(9), 48, 51(6), 100]
 - recommendation of confer-

YOUTH CRIMINAL JUSTICE

—Cont'd

- Violent offence—Cont'd
 - youth sentence, See also CUSTODY AND SUPERVISION—Cont'd
 - ence, 42:54 [YCJA 41]
 - restitution, 42:57, 42:73 [YCJA 42(2)(f), 54(4) to (5), (10)]
 - review board, 42:29, 42:105, 42:106, 42:134, 42:139, 42:141, 42:153 [YCJA 25(3), 87, 88, 114, 119(h), 120(4)(c), 132(3), (4), (7)]
 - reviews
 - appeals from, 42:45 [YCJA 37(11)]
 - appearance order, 42:78, 42:112 [YCJA 59(6), 94(8)]
 - conditional supervision, 42:112, 42:113, 42:114, 42:127, 42:128, 42:128 [YCJA 94, 95, 96(3), 108, 109, (4), (7), (8)]
 - continuation of custody, 42:112, 42:113, 42:119, 42:122 [YCJA 94, 95, 101, 104(5)]
 - custodial sentences generally, 42:112, 42:113 [YCJA 94, 95]
 - custody and supervision orders, 42:61, 42:112, 42:113, 42:119, 42:122, 42:127, 42:128

YOUTH CRIMINAL JUSTICE

—Cont'd

Violent offence—Cont'd
youth sentence, See also
CUSTODY AND
SUPERVISION—Cont'd
reviews—Cont'd
[YCJA 42(6), 94,
95, 101, 104(5), 108
to 109]
decision after review,
42:71, 42:78,
42:106, 42:112,
42:114 [YCJA
52(3), 59(7), 88,
94(19), 96(4)]
level of custody, 42:105,
42:106 [YCJA 87,
88]
non-custodial sentence,
42:78, 42:79
[YCJA 59, 60]
notices, 42:29, 42:78,
42:106, 42:112,
42:114 [YCJA
25(9), 59(5), 88,
94(13) to (18),
96(4), (8)]
pending appeal, 42:78,
42:112, 42:114
[YCJA 59(5), 94(7),
96(4)]
progress report, 42:78,
42:106, 42:112,
42:114 [YCJA
59(3), 88, 94(9) to
(12), 96(4), (4)]
prohibition orders, 42:71
[YCJA 52]
transitional provisions,
42:185 [YCJA
161(3)]
right to counsel on, 42:29
[YCJA 25(3)(e),
(9)(f)]

YOUTH CRIMINAL JUSTICE

—Cont'd

Violent offence—Cont'd
youth sentence, See also
CUSTODY AND
SUPERVISION—Cont'd
serious violent offence, for,
42:55 [YCJA 42(2)(o),
(7)]
statement re custody and
supervision, 42:59
[YCJA 42(4)]
termination, effect of, 42:99
[YCJA 82]
transfer of, 42:76 [YCJA
57]
transfer to adult facility,
42:110 [YCJA 92]
transitional provisions,
42:185 [YCJA 161]
treatment or care, 34:161,
42:55, 42:109, 42:163
[CC 743.5, YCJA
42(2)(r), 91(b)(iv),
141(11), (7), (8)]
victim fine surcharge,
42:55, 42:72, 42:73
[YCJA 42(2)(d),
53(1), 54(2)]
victim funding, 42:55,
42:72, 42:73 [YCJA
42(2)(d), 53(1), 54(2)]

YUKON

“Appeal court,” 38:84 [CC 812]
Application of Code provisions,
2:20 [CC 8(1)]
“Appropriate Chief Justice,”
34:184 [CC 745.6(3)]
“Attorney General,” 1:3 [CC 2]
“Court of appeal,” 1:3 [CC 2]
Empanelling jury
challenge for cause, 27:148
[CC 638]

INDEX

YUKON—Cont’d

- Forfeiture of recognizance, **36:1**
[CC 762(1)]
- “Judge” under Part XIX, **25:1**
[CC 552]
- “Judge” under Part XVI, **21:1**
[CC 493]
- Preferring indictment, **27:6** [CC
577]

YUKON—Cont’d

- Proclamations, etc. of Lieutenant
Governor, **40:74** [CEA
22(2)]
- “Superior court of criminal juris-
diction,” **1:3** [CC 2]
- Venue for summary conviction
appeal, **38:91** [CC 814(4)]